

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, OCTOBER 29, 2007**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:01 p.m. on Monday, October 29, 2007, with President Gray presiding.

Councillor Moriarty Adams led the opening prayer and invited all present to join her in the Pledge of Allegiance to the Flag.

ROLL CALL

President Gray instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

29 PRESENT: Bateman, Borst, Boyd, Brown, Cain, Carson, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Sanders, Schneider, Speedy, Vaughn
0 ABSENT:

A quorum of twenty-nine members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Pfisterer recognized Ginny Terpening, Executive Director of the Indiana Medical History Museum. Councillor Sanders recognized former Councillor Susan Williams.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE
COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND
MARION COUNTY, INDIANA

Journal of the City-County Council

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, October 29, 2007, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Monroe Gray
President, City-County Council

October 12, 2007

TO PRESIDENT GRAY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* on Wednesday, October 17, 2007 and in the *Indianapolis Recorder* on Friday, October 19, 2007, a copy of a Notice of Public Hearing on Proposal No. 423, 428, 429 and 433-436, 2007, said hearing to be held on Monday, October 29, 2007, at 7:00 p.m. in the City-County Building.

Respectfully,
s/Jean Ann Milharcic
Clerk of the City-County Council

October 15, 2007

TO PRESIDENT GRAY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Jean Ann Milharcic, the following ordinances:

FISCAL ORDINANCE NO. 81, 2007 - approves an appropriation of \$45,217 in the 2007 Budget of the Marion County Community Corrections (State and Federal Grants Fund) for the purpose of a substance abuse treatment program that will be provided to offenders in the Community Corrections Center, financed by a grant from the Indiana Criminal Justice Institute

FISCAL ORDINANCE NO. 82, 2007 – approves an appropriation of \$762,500 in the 2007 Budget of the Marion County Community Corrections (State and Federal Grants Fund) to cover the costs of 100 work release beds in the Duvall Residential Work Release Center, financed by grant funds from the Indiana Department of Corrections

FISCAL ORDINANCE NO. 83, 2007 – appropriates \$151,020 in the 2007 Budget of the Marion County Forensic Services Agency (State and Federal Grants Fund) to make improvements within the Marion County Crime Lab by upgrading computer software and adding equipment for the Biology Unit, financed by a U.S. Department of Justice grant administered by the National Institute of Justice

FISCAL ORDINANCE NO. 87, 2007 – : transfers \$45,000 in the 2007 Budget of the Marion County Forensic Services Agency (County General Fund) to purchase laboratory supplies

FISCAL ORDINANCE NO. 88, 2007 - transfers \$25,000 in the 2007 Budget of the Marion County Forensic Services Agency (State and Federal Grants Fund) to allow the outsourcing of casework to approved/accredited private labs

GENERAL ORDINANCE NO. 45, 2007 – amends the Code to add a section regarding the use of vehicles that are owned or leased by the city and county

GENERAL ORDINANCE NO. 46, 2007 – amends the Code regarding early retirement of employees covered by the AFSCME master agreement

GENERAL ORDINANCE NO. 47, 2007 – establishes the High Performance Government team for the purpose of promoting efficiency in the operations of all taxing units in Marion County

GENERAL ORDINANCE NO. 48, 2007 – amends Chapter 881 of the Code regarding dance permits and licenses

October 29, 2007

GENERAL ORDINANCE NO. 49, 2007 – amends Chapter 281 of the Code, Sec. 281-323, County Officials, Boards and Commissions, Division II, Court Services, to provide for payment of parking fees incurred by jurors pursuant to IC 33-37-10-1

GENERAL RESOLUTION NO. 20, 2007 – considers Greystoke 5902, LLC's "Petition for Waiver or Reduction of Property Taxes Against A Brownfield", relating to real estate located at 5902 East 34th Street

SPECIAL RESOLUTION NO. 42, 2007 – recognizes the life and contributions of former City-County Councilman Elwood C. Black, Sr.

SPECIAL RESOLUTION NO. 43, 2007 – recognizes the Ben Davis High School Dad's Organization

SPECIAL RESOLUTION NO. 44, 2007 – recognizes Metropolitan Police Officer John Perkins, Firefighters Matthew Nicoson and James Weeden, and Civilian Courtney Thurman

SPECIAL RESOLUTION NO. 45, 2007 – recognizes the H.O.P.E. Team and their successful 6th Annual City-Wide Summit

SPECIAL RESOLUTION NO. 46, 2007 – supports a sister-city relationship between Eldoret, Kenya and Indianapolis, Indiana

Respectfully,
s/Bart Peterson, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed.

Councillor Mansfield moved, seconded by Councillor Franklin, to add Proposal No. 182, 2007 to the agenda this evening for action. Councillor Borst asked where on the agenda Councillor Mansfield proposes that it be heard. Councillor Mansfield said that she would recommend it be added as the first item in numerical order under Final Adoption. The motion to add Proposal No. 182, 2007 to the agenda for action carried by a unanimous voice vote.

Councillor Randolph stated that in 2002, two Republican Councillors referred to members of the Police Department as guerillas and thugs, and these comments were viewed as racial slurs. The Council members were censured and issued public apologies. He stated that decorum from this body should not stop outside this chamber and he feels that General Counsel Aaron Haith also should be censured and issue an apology to the person he referred to as the grandson of Willie Lynch. He said that it is sad that this body would excuse such comments from African American members of this body but not two white members of the body. President Gray ruled Councillor Randolph's comments as out of order at this time.

Without further objection, the agenda was adopted as amended.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of October 8, 2007. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 473, 2007. The proposal, sponsored by Councillors Cain, Nytes and Sanders, recognizes the 20-year anniversary for the Arts Council of Indianapolis. Councillor Cain read the proposal and presented representatives with copies of the document and Council pins. Greg Charleston, president, thanked the Council for the recognition. Councillor Cain moved, seconded

by Councillor Nytes, for adoption. Proposal No. 473, 2007 was adopted by a unanimous voice vote.

Proposal No. 473, 2007 was retitled SPECIAL RESOLUTION NO. 47, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 47, 2007

A SPECIAL RESOLUTION recognizing the 20-year Anniversary of the Arts Council of Indianapolis.

WHEREAS, the Arts Council of Indianapolis opened its doors in 1987 with a mission to advance and promote the arts through funding, advocacy, business, artistic and technical assistance services, public and private support and technology; and

WHEREAS, the Arts Council staff and board work to increase the visibility of the arts in Indianapolis, help arts organizations thrive, and help artists make a viable living in Indianapolis; and

WHEREAS, the Arts Council re-grants the City of Indianapolis' funding and the State of Indiana's arts funding to central Indiana arts organizations, which provide extensive community arts programs and services, outreach activities, educational initiatives, and private support for individual artist fellowships; and

WHEREAS, the Arts Council provides marketing and promotion activities for artists and arts organizations, manages an interactive web site (indyarts.org) with information on more than 700 arts events in our city, helps match opportunities to artists, provides workshops and seminars, conducts research on the arts for the community, and manages the city's public arts program; and

WHEREAS, the Arts Council also operates the Artsgarden as a showcase for the arts, in which more than 300 free performances and exhibitions occur each year; and

WHEREAS, the arts and cultural organizations in Indianapolis provide direct arts programming to more than 1.6 million students collectively each year, and reach more than 475,000 senior citizens. As a viable industry, the arts generate nearly a half a billion dollars to the city's economic activity; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes the Arts Council of Indianapolis for enhancing the quality of life for the citizens of Indianapolis and making a significant contribution to the economy through community development.

SECTION 2. The Council heartily congratulates the Arts Council on 20 years of ensuring that the arts are a strong and integral part of Indianapolis life.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 474, 2007. The proposal, sponsored by Councillor Pfisterer, recognizes the Indiana Medical History Museum. Councillor Pfisterer read the proposal and presented representatives with copies of the document and Council pins. Ginny Terpening, executive director, thanked the Council for the recognition. Councillor Pfisterer moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 474, 2007 was adopted by a unanimous voice vote.

Proposal No. 474, 2007 was retitled SPECIAL RESOLUTION NO. 48, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 48, 2007

A SPECIAL RESOLUTION recognizing the Indiana Medical History Museum.

WHEREAS, the Indiana Medical History Museum (IMHM) is dedicated to preserving the heritage of the healing arts in Indiana. Through its exhibits, the museum educates the public concerning health care in Indiana during the nineteenth and first half of the twentieth centuries. Museum programming also focuses on life sciences, as well as health care careers; and

WHEREAS, the IMHM is located in the old Westside of Indianapolis, and occupies five of the 160-acre campus of the former Central State Hospital. The main building of the museum is the old Pathology Building of Central State Hospital. It is listed in the National Register of Historic Places and has been identified as an official project of "Save America's Treasures" by the National Trust for Historic Preservation; and

WHEREAS, this outstanding building was built under the supervision of Superintendent George Edenharter, MD. It was dedicated in 1896 as a state-of-the-art research and education facility enabling hospital physicians to apply scientific methods in their study of mental diseases. This unique structure survives with its original amphitheater, library, and laboratory furnishing. Tours of the museum bring to life the era of early medical research, education and practice; and

WHEREAS, in 2003, a Medicinal Plant Garden became a new feature of the museum, in which nearly 100 different medicinal plants are now represented; and

WHEREAS, the Medicinal Plant Garden offers the opportunity to remember that plants were the original source of most medicines, including well-known drugs such as aspirin, digitoxin, codeine and many anti-cancer chemotherapeutic agents; and

WHEREAS, the garden has added interest for visitors and reminds us of all the treasures present in our natural environment and of the importance of preserving the biodiversity of the environment as a source of new miracle drugs; and

WHEREAS, the Medicinal Plant Garden was all made possible by the work of 34 Marion County Master Gardeners who have donated hundreds of hours of labor, as well as all of the plants, statuary, and gardening materials; and

WHEREAS, the Historic Family Doctor's Office of the IMHM, sponsored by the Indiana Academy of Family Physicians, Indiana Academy of Family Physicians Foundation, the Ruth Lilly Charitable Gift, the Indianapolis Medical Society, the Indiana University School of Medicine Class of 1952, and the St. Francis Hospital and Health Center, was dedicated in 2005. This exhibit interprets the general practice physician in the middle twentieth century; and

WHEREAS, the Historic Family Doctor's Office was recognized by the American Academy of Family Physicians Foundation for the 2007 Outstanding Programming Award; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes the Indiana Medical History Museum's many contributions to educating the public about the history of health care in Indiana.

SECTION 2. The Council congratulates the IMHM on its inclusion of the Medical Plant Garden and the 2007 Outstanding Programming Award.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 475, 2007. The proposal, sponsored by Councillors Langsford, Sanders, Brown and Conley, recognizes Peace Learning Center for ten years of service to youth and adults who serve youth in the Indianapolis area. Councillor Langsford read the proposal and presented representatives with copies of the document and Council pins. Tim Nation and Ben Hunter, representatives, thanked the Council for the recognition. Councillor Langsford moved, seconded

by Councillor Sanders, for adoption. Proposal No. 475, 2007 was adopted by a unanimous voice vote.

Proposal No. 475, 2007 was retitled SPECIAL RESOLUTION NO. 49, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 49, 2007

A SPECIAL RESOLUTION recognizing Peace Learning Center (PLC) for 10 years of service to youth and adults who serve youth in the Indianapolis area.

WHEREAS, Peace Learning Center is a community educational institution based in Indianapolis that teaches peace-building and conflict resolution skills to youth and adults; and

WHEREAS, PLC was started in 1997 in Eagle Creek Park, and has reached more than 100,000 people. Its mission is to promote a culture of peace through education to youth and communities, as it is believed that all people have the capacity to resolve their conflicts peacefully; and

WHEREAS, Peace Learning Center was founded by Tim Nation, PLC's current Executive Director, and Charlie Wiles, PLC's Interfaith and Intercultural Program Coordinator; and

WHEREAS, PLC grew from a one-building program with six staff to a three-campus operation with thirty-five full-time personnel. Campuses are now located in Eagle Creek Park, Fall Creek Park, and Columbus Youth Camp, serving Indianapolis Public Schools (IPS), Warren Township Schools, Lawrence Township Schools, and various Charter Schools; and

WHEREAS, Peace Learning Center has a \$1.2 million budget providing direct service to youth and adults who serve youth, and ninety-five percent of its budget goes directly into programs and services; and

WHEREAS, PLC has been recognized by Mayor Bart Peterson of Indianapolis as "a local 'best practice' that has demonstrated the effectiveness of teaching young adults and at-risk youth creative ways of resolving conflicts, personal responsibility, and character building"; and

WHEREAS, Additionally, Peace Learning Center has been honored with: the IUPUI Chancellor's Community Award for Civic Engagement in 2007; the Indiana Youth Institute's Youth Investment Award and the Indiana Department of Education's Service Learning Star Award in 2006; the World Council of Churches' Blessed are the Peacemakers Award in 2004; the Sam H. Jones' Best of the Best Diversity Award and the Indianapolis Education Association's Spirit of Martin Luther King Award in 2003; and the Indiana Achievement Award for Innovation in 2001; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Peace Learning Center as a leader in achievement, vision, and diversity.

SECTION 2. The Council heartily congratulates PLC on 10 years of establishing safe and common ways for youth and adults to deal with conflicts and differences.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 476, 2007. The proposal, sponsored by Councillors Gray and Conley, recognizes the Marian College Cycling Team on winning the 2007 Track Cycling National Championship. Councillor Gray read the proposal and presented representatives with copies of the document and Council pins. Councillor Schneider recognized Abby Nicks, a member of the team and long time family friend. Councillor Gray moved, seconded by Councillor Conley, for adoption. Proposal No. 476, 2007 was adopted by a unanimous voice vote.

Proposal No. 476, 2007 was retitled SPECIAL RESOLUTION NO. 50, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 50, 2007

A SPECIAL RESOLUTION recognizing the Marian College Cycling Team on winning the 2007 Track Cycling National Championship.

WHEREAS, Marian College is one of the only colleges and universities in the country that treats cycling as a varsity sport. Work has recently been completed on a brand-new, state-of-the-art cycling center, featuring an advanced air conditioning filtration system, eight Comp-U-Trainers for simulated rides, power-testing, spin-scanning, and winter training, and twelve spin bikes promoting community-wide health and fitness, that is available for use by the whole Marian College community; and

WHEREAS, on Sunday, September 16, the Marian College cycling team won the National Collegiate Cycling Association Track Cycling National Championship after a three-day battle, in which more than 30 collegiate teams competed in 11 events from September 14 thru 16 in San Diego, California; and

WHEREAS, the Marian College Knights finished with 808 total points, for a record-breaking win, with the host-school UC-San Diego finishing second with 790 points; and

WHEREAS, the Marian College cycling team has won the track cycling national championship ten times in the last 13 years, also securing the championship in 1995, 1997, 1998, 1999, 2000, 2001, 2002, 2003, and 2006; and

WHEREAS, under the leadership of Head Coach, Dean Peterson, and Assistant Coaches, Jake Rytlewski and Doug Robinson, team members: Taylor Brown, Jeff Carl, Stephen Chiselko, Matt Jones, Paddy Kilmurray, Abigail Nicks, Sierra Siebenlist, Loren Somerville, Megan Somerville, Bennet van der Genugten, Alex Wieseler, and David Williams exhibited extraordinary respect, responsibility, leadership, and sportsmanship; and

WHEREAS, Marian College cyclists, Bennet van der Genugten, David Williams, Paddy Kilmurray, and Taylor Brown also won individual awards; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly congratulates the Marian College Knights Cycling Team for its 10th win of the Track Cycling National Championship and wishes the team many future victories.

SECTION 2. The Council recognizes the Marian College cycling sponsors: Bianchi, Bicycle Garage Indy, Bike Wave, Central Indiana Bicycle Association, CycleOps Power, Ice Miller, LLP, Indiana Podiatry, Indianapolis Motor Speedway, Indy Parks, Matthews Bicycles, Noodles & Company, NUVO, Ratio Architects, Shiel Sexton, TruTrainer Bicycle Rollers, USA Cycling, and ZIPP Speedway Weaponry.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 477, 2007. The proposal, sponsored by Councillors Brown, Langsford, Conley, Moriarty Adams and Plowman, recognizes Lakeside Elementary on being named a 2007 No Child Left Behind Blue Ribbon School. Councillor Brown read the proposal and presented representatives with copies of the document and Council pins. Ruth Ann Walker, school board member, and Steve Foster, principal, thanked the Council for the recognition. Councillor Brown moved, seconded by Councillor Langsford, for adoption. Proposal No. 477, 2007 was adopted by a unanimous voice vote.

Proposal No. 477, 2007 was retitled SPECIAL RESOLUTION NO. 51, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 51, 2007

A SPECIAL RESOLUTION recognizing Lakeside Elementary on being named a 2007 No Child Left Behind Blue Ribbon School.

WHEREAS, Warren Township's Lakeside Elementary School takes pride in the positive relationships that the teachers make with students and parents, and strongly believes that all children can learn; and

WHEREAS, Lakeside's practices include frequently using formative data to make instructional decisions, pacing instruction based on the district calendar of Indiana Academic Standards, and offering tutorial and enrichment activities daily in their "Success Period" where students are placed in small instructional groups based on their learning needs; and

WHEREAS, the staff members of Lakeside Elementary willingly recognize the need to implement research-based instructional strategies; and

WHEREAS, Lakeside frequently observes teacher directives for instructional improvement and implements research-based staff development activities throughout the year based on student assessment data; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Lakeside Elementary School and its staff for encouraging success for all children and ensuring that no child is left behind.

SECTION 2. The Council congratulates Lakeside on its many accomplishments and being recognized as a Blue Ribbon School.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 254, 2007. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 254, 2007 on May 22, June 12 and October 9, 2007. The proposal, sponsored by Councillors Gray, Conley and Sanders, appoints Rodney Reynolds to the Common Construction Wage Committee for Decatur Township. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Boyd moved, seconded by Councillor Sanders, for adoption. Proposal No. 254, 2007 was adopted by a unanimous voice vote.

Proposal No. 254, 2007 was retitled COUNCIL RESOLUTION NO. 78, 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 78, 2007

A COUNCIL RESOLUTION appointing Rodney Reynolds to the Common Construction Wage Committee for Decatur Township.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Common Construction Wage Committee, the Council appoints:

Rodney Reynolds

SECTION 2. The appointment made by this resolution is made at the pleasure of the council and shall continue until a successor is appointed and qualifies.

October 29, 2007

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 335, 2007. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 335, 2007 on August 7, September 18 and October 9, 2007. The proposal, sponsored by Councillors Plowman, Sanders and Conley, requests that the Metropolitan Development Commission review its procedures and policies employed by it in granting new tax abatements. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Nytes encouraged members to read the August 2, 2007 Economic Development Committee meeting minutes for more information about the tax abatement process. Councillor Boyd moved, seconded by Councillor Sanders, for adoption. Proposal No. 335, 2007 was adopted by a unanimous voice vote.

Proposal No. 335, 2007 was retitled COUNCIL RESOLUTION NO. 79, 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 79, 2007

A COUNCIL RESOLUTION requesting that the Metropolitan Development Commission review its procedures and policies employed by it in granting new tax abatements.

WHEREAS, millions of Marion County property taxes are deferred to provide tax breaks for certain businesses or diverted for economic development initiatives; and

WHEREAS, Marion County is the only county in Indiana where tax abatement applications are not subject to approval by elected officials, and are instead approved by those appointed to the Metropolitan Development Commission (IC 6-1.1-12.1-1(7)); and

WHEREAS, Marion County is the only county in Indiana that is permitted to grant tax abatements to retail establishments and restaurants (IC 6-1.1-12.1-3(e)); and

WHEREAS, the Commission on State Tax and Financing Policy is currently investigating the proper use of tax abatements as economic development policy; and

WHEREAS, the Department of Metropolitan Development has identified several target industries the county wants to attract using tax incentives, *e.g.*: life sciences, information technology, advanced manufacturing, motor sports, and logistics; and

WHEREAS, the City has also identified certain regions within Marion County where abatements are necessary to attract development; and

WHEREAS, the commission must conduct a public hearing before amending a resolution or plan for a redevelopment project area, an urban renewal project area, or an economic development area; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1: Marion County has a responsibility to disburse its tax abatements judiciously and wisely, and the City-County Council supports the use of tax abatements in the above-mentioned target industries and regions.

SECTION 2: Tax abatements outside those industries or regions should be reviewed carefully, paying special attention to the quality of the jobs to be created by the proposed development.

SECTION 3: The Metropolitan Development Commission is hereby instructed to provide to the City-County Council Clerk a list of all pending hearings at least nineteen (19) days prior to the scheduled hearing, and the Clerk is to distribute to each Council member notice of a pending tax abatement application received by the Council Clerk.

SECTION 4. That the Marion County Auditor is directed to provide a list of all existing tax abatements with the aggregate total amount of property taxes thereby abated to the Clerk of the Marion County City-

County Council who is to distribute the said list to all members of the Council within sixty (60) days of the passage of this resolution and bi-annually thereafter, to the extent the Auditor has compiled such information.

SECTION 5. That the Commission shall provide notice of public hearings to each neighborhood organization whose boundaries include all or some part of the subject property as delineated upon the Neighborhood Organization Map of the Department of Metropolitan Development (a copy of which is on file in the offices of the Commission and incorporated herein by references).

SECTION 6. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 453, 2007. Introduced by Councillors Sanders, Mansfield, Cain, Conley and Langsford. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which transfers and appropriates \$65,000 in the 2007 Budget of the Marion County Children's Guardian Home (County General Fund) to cover unanticipated increases in the cost of utilities and the food service program"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 454, 2007. Introduced by Councillors Sanders, Mahern, Keller and Conley. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which transfers and appropriates \$141,250 in the 2007 Budget of the Department of Metropolitan Development (Federal Grants Fund and Transportation General Fund) to pay for professional services and communications for a comprehensive public awareness campaign about transportation alternatives, for a park and ride opportunity study, for purchase of traffic counters and for relocation expenses for offices of the Metropolitan Planning Organization"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 455, 2007. Introduced by Councillors Mahern, Keller and Conley. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which transfers and appropriates \$413,600 in the 2007 Budget of the Department of Metropolitan Development (Consolidated County and Redevelopment General Funds) to purchase uniforms for inspectors, code books, office supplies, and computer software upgrades"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 456, 2007. Introduced by Councillors Mahern, Keller, Nytes, Langsford, Sanders and Conley. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves the amounts, locations and programmatic operation of each project to be funded from Community Development Grant Funds in 2008"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 457, 2007. Introduced by Councillors Moriarty Adams, Conley and Langsford. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which transfers and appropriates \$200,000 in the 2007 Budget of the Indianapolis Metropolitan Police Department (IMPD Fund) for supplies, uniforms for new recruits, and ammunition"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 458, 2007. Introduced by Councillors Moriarty Adams, Borst, Bateman, Brown, Oliver, Sanders, Conley and Gray. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which transfers and appropriates \$33,269 in the 2007 Budget of the Marion Superior Court (State and Federal Grants Fund) for the Juvenile Detention Alternatives Initiative, to contract for research on disproportionate minority confinement, case processing times, and for

enhancements to the QUEST database used at the Detention Center"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 459, 2007. Introduced by Councillors Moriarty Adams, Borst, Bateman, Conley, Oliver and Brown. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates \$159,039 in the 2007 Budget of the Marion Superior Court (County Grants Fund) to fund expenses for a full-time Probation Officer who will work with youth served by the Juvenile Community Transitions Program (JCTP), funded by a three-year grant from the Indiana Juvenile Justice Task Force"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 460, 2007. Introduced by Councillors Conley and Randolph. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Pikewood Subdivision (District 1)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 461, 2007. Introduced by Councillors Conley and Lutz. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Bridgeport Commons Subdivision (District 13)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 462, 2007. Introduced by Councillors Conley and Mahern. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which designates a 20-minute parking meter zone on the east side of Meridian Street between Maryland and Pearl Streets (District 19)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 463, 2007. Introduced by Councillors Conley and Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for Heartland Boulevard (District 22)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 464, 2007. Introduced by Councillors Conley and Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Timberleaf Subdivision, Section 1 (District 22)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 465, 2007. Introduced by Councillors Conley and Speedy. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the White Oak Woods Subdivision, Sections 1 and 2 (District 24)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 466, 2007. Introduced by Councillors Conley and Plowman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Brookfield Place Subdivision, Sections 1 and 2 (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 467, 2007. Introduced by Councillors Conley and Plowman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizing intersection controls for the Westbrooke Subdivision (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 468, 2007. Introduced by Councillors Conley and Plowman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Churchman Estates Subdivision, Sections 1-4 (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 469, 2007. Introduced by Councillors Conley and Plowman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Addison Meadows Subdivision (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 470, 2007. Introduced by Councillors Conley and Plowman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Hanover Subdivision, Section 2 (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 471, 2007. Introduced by Councillors Conley and Plowman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Southern Trails Subdivision (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 472, 2007. Introduced by Councillors Moriarty Adams, Keller, Conley and Nytes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code to require dealers in salvage or scrap metal to be licensed and regulated by the city"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 497, 2007. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Holbrook Hankison as co-chairperson of the High performance Government Team, pursuant to General Ordinance No. 47, 2007 (Proposal No. 388, 2007)"; and the President referred it to the Administration and Finance Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

Councillor Nytes reported that the Economic Development Committee heard Proposal Nos. 449-452, 2007 on October 17, 2007.

PROPOSAL NO. 449, 2007. The proposal, sponsored by Councillor Nytes, is a final resolution for Bridgeport Crossing Apartment, LLC in an amount not to exceed \$9,000,000 to finance the acquisition, construction and equipping of approximately 180 units at 2005 Bridgeport Road (Bridgeport Crossing Apartments Project) (District 13). By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor McWhirter asked if this is new construction. Councillor Nytes said that it is. Councillor Lutz said that this is in his district, and he has met with the developers since the Committee meeting and is in favor of the project.

Councillor Nytes moved, seconded by Councillor Sanders, for adoption. Proposal No. 449, 2007 was adopted on the following roll call vote; viz:

October 29, 2007

26 YEAS: Bateman, Borst, Boyd, Cain, Carson, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Sanders, Vaughn
1 NAY: Schneider
2 NOT VOTING: Brown, Speedy

Proposal No. 449, 2007 was retitled SPECIAL ORDINANCE NO. 8, 2007, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 8, 2007

A SPECIAL ORDINANCE authorizing the issuance of Multi-Family Housing Revenue Bonds by the City of Indianapolis, Indiana, in an aggregate principal amount not to exceed Nine Million Dollars (\$9,000,000), the proceeds of which shall be loaned to Bridgeport Crossing Apartments, Inc. to finance the acquisition, construction, and equipping of certain economic development facilities located within the City of Indianapolis, Indiana, and approving and authorizing other actions in respect thereto.

WHEREAS, at a meeting open to the public held on October 9, 2007, the Indianapolis Economic Development Commission (the "Commission") of the City of Indianapolis, Indiana (the "Issuer") adopted its Resolution which approved the issuance of economic development revenue bonds by the Issuer and the loan of the proceeds thereof to the Borrower (as hereinafter defined) to finance a portion of the costs of the acquisition, construction and equipping of certain economic development facilities consisting of a 180-unit multi-family affordable rental housing community (the "Project") to be undertaken by Bridgeport Crossing Apartments, LLC (the "Borrower"), pursuant to the provisions of Indiana Code 36-7-11.9 and -12, as amended (collectively, the "Act"); and

WHEREAS, pursuant to and in accordance with the provisions of the constitution and the laws of the State of Indiana, and particularly the Act, the Issuer is now prepared to issue and sell one or more series of its Bridgeport Crossing Apartments Multifamily Housing Revenue Bonds, Series 2007 (Bridgeport Crossing Apartments Project) (the "Bonds"), in an aggregate principal amount not to exceed \$9,000,000 to obtain funds to finance a portion of the cost of the Project, by making a loan to the Borrower, all under and in accordance with the Constitution and the laws of the State of Indiana.

WHEREAS, the Bonds will be purchased by Oppenheimer & Co. Inc. (the "Underwriter") in a private direct sale; and

WHEREAS, it is now necessary, desirable and in the best interests of the Issuer to authorize the execution and delivery of a Loan Agreement, between the Issuer and the Borrower dated as of November 1, 2007 (the "Loan Agreement"); and

WHEREAS, it is now necessary, desirable and in the best interests of the Issuer to authorize the execution and delivery of a Trust Indenture and, by and between the Issuer and The Bank of New York Trust Company, N.A. as Trustee (the "Trust Indenture"); and

WHEREAS, it is now necessary, desirable and in the best interests of the Issuer to authorize the execution and delivery of one or more, Mortgage and Security Agreement from the Borrower to the Trustee, dated as of November 1, 2007 (the "Mortgage Agreement"); and

WHEREAS, it is now necessary, desirable and in the best interests of the Issuer to authorize the execution and delivery of one or more Land Use Restriction Agreements by and among the Issuer, the Borrower and the Trustee dated as of November 1, 2007 (the "Land Use Restriction Agreement"); and

WHEREAS, the Issuer has caused to be prepared and presented (collectively, the "Financing Documents") forms of the following documents which the Issuer proposes to approve the terms of or enter into:

1. the Loan Agreement;
2. the Trust Indenture;
3. the Mortgage Agreement;
4. the Land Use Restriction Agreement; and
5. the Bonds.

WHEREAS, the Issuer is a municipal corporation and political subdivision of the State of Indiana (the "State"), and by virtue of the constitution and laws of the State, including the Act, is authorized and empowered, among other things, to (a) provide funds for the Project; (b) issue its revenue Bonds for the

purpose set forth herein; (c) secure such revenue bonds by a pledge and assignment of revenues and other documents as provided for herein; and (d) adopt this Bond Ordinance, execute the Financing Documents and all other documents to be executed by it in connection with the issuance of the Bonds, upon the terms and conditions provided therein; and

WHEREAS, the City-County Council (the "Council") has found and determined, and does hereby confirm, that the Project will be to the benefit of the health and general welfare of the citizens of the Issuer, and that the Issuer, by assisting with the financing of the Project through the issuance of one or more series of revenue refunding bonds in an aggregate principal amount not to exceed \$9,000,000, will be acting in a manner consistent with and in furtherance of the provisions of the Act; and

WHEREAS, no member of the Council has any pecuniary interest in any employment, financing agreement or other contract made under the provisions of the Act and related to the Bonds authorized herein, which pecuniary interest has not been fully disclosed to the Council and no such member has voted on any such matter, all in accordance with the provisions of Indiana Code 36-7-12-6; and

WHEREAS, the Borrower will own the real property, improvements located thereon and the equipment constituting the Project, and the Borrower will be liable for the debt described in the Loan Agreement; and

WHEREAS, based upon the resolution adopted by the Commission pertaining to the Project, the Issuer hereby finds and determines that the financing approved by the Commission for the Project will be of benefit to the health and general welfare of the citizens of the Issuer, complies with the provisions of the Act and the amount necessary to finance the costs of the Project, will require the issuance, sale and delivery of one or more series of economic development revenue bonds in an aggregate principal amount not to exceed \$9,000,000; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Definitions. In addition to the words and terms defined in this Bond Ordinance, the words and terms used in this Bond Ordinance shall have the meanings set forth in the Financing Documents unless the context or use indicates another or different meaning or intent, which forms are before this meeting, are hereby incorporated by reference in this Bond Ordinance, and the Clerk of the Issuer (the "Clerk") is hereby directed to insert them into the minutes of the Issuer and to keep them on file as specified in Section 13 hereof.

Any reference herein to the Issuer, or to any officers thereof, shall include those which succeed to their functions, duties or responsibilities pursuant to or by operation of law or who are lawfully performing their functions.

Unless the context shall otherwise indicate, words importing the singular number shall include the plural number, and vice versa, and the terms "hereof," "hereby," "hereto," "hereunder," and similar terms, mean this Bond Ordinance.

SECTION 2. Authorization of the Bonds. It is hereby determined to be necessary to, and the Issuer shall, issue, sell and deliver, as provided and authorized herein and pursuant to the authority of the Act, revenue bonds in one or more series in the maximum aggregate principal amount not to exceed \$9,000,000 and shall be designated as \$9,000,000 City of Indianapolis, Indiana, Multifamily Revenue Bonds (Bridgeport Crossing Apartments Project) Series 2007 (the "Bonds"), including such further appropriate particular designation or designations added to or incorporated into such title for the Bonds as the Issuer may determine. The proceeds of the Bonds will be purchased by the Underwriter and the proceeds thereof shall be used to make a loan to the Borrower to pay the cost of financing the Project, which Project will be used as an economic development facility within the meaning of the Act.

SECTION 3. Terms and Execution of the Bonds. The Bonds shall be issued as fully registered bonds, without coupons, in the denominations set forth in the Bonds, numbered consecutively as set forth in the Bonds, and shall be payable at the office of the Underwriter and mature as provided in the Bond. The Bonds shall have such terms, bear such interest rates (at a fixed rate not to exceed twelve percent (12%) or a variable rate to be determined as set forth in the Bond, and be subject to mandatory and optional redemption or tender as provided therein. The Bonds shall be executed and attested on behalf of the Issuer by the manual or facsimile signatures of the Mayor of the Issuer (the "Mayor"), and the Clerk, respectively, and the seal of the Issuer shall be impressed thereon or a facsimile of such seal placed thereon. In case any officer whose signature or a facsimile thereof shall appear on the Bonds shall cease to be such officer before the issuance or delivery of the Bonds, such signature or facsimile thereof shall

nevertheless be valid and sufficient for all purposes, the same as if he or she had remained in office until after that time.

The substantially final form of the Bonds approved by the Commission and submitted to this meeting, subject to appropriate insertions and revisions in order to comply with the provisions of the Trust Indenture, is hereby ratified, and when the same shall be executed on behalf of the Issuer by the appropriate officers thereof in the manner contemplated by the Financing Documents in an aggregate principal amount not to exceed \$9,000,000 shall represent the approved form of Bonds of the Issuer.

The Bonds are special, limited obligations of the Issuer payable solely from payments of principal of, premium, if any, and interest on the Bonds by the Borrower under the Loan Agreement, except to the extent that the principal of, premium, if any, and interest on the Bonds may be paid out of money attributable to Bond proceeds or from temporary investments thereof.

SECTION 4. Sale of the Bonds. The Issuer will sell the Bonds pursuant to the terms of the Trust Indenture at the purchase prices set forth therein, and on the terms and conditions described therein.

SECTION 5. Arbitrage Provisions. Subject to the obligations of the Borrower set forth in the Loan Agreement and the Tax Representation Certificate, the Issuer will use its best efforts to restrict the use of the proceeds of the Bonds in such a manner and to expectations at the time the Bonds are delivered to the purchasers thereof, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations promulgated thereunder. The Mayor and the Clerk, or any other officer having responsibility with respect to the issuance of the Bonds, are authorized and directed, alone or in conjunction with any of the foregoing, or with any other officer, employee, consultant or agent of the Issuer, to deliver a certificate for inclusion in the transcript of proceedings for the Bonds, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to said Section 148 of the Code and the regulations thereunder.

SECTION 6. Financing Documents and all other Documents to be Executed or Accepted by the Issuer. In order to better secure the payment of the principal of, premium, if any, and interest on the Bonds as the same shall become due and payable, the Mayor and the Clerk are authorized and directed to execute, acknowledge and deliver, in the name and on behalf of the Issuer, the Financing Documents, and all other material instruments, agreements, closing papers, certificates, assignments or other documents, including, but not limited to, any such agreements or documents necessary or appropriate for arranging for credit enhancement or securing interest rate protection for the Bonds or investing proceeds of the Bonds, to be executed or accepted by it in substantially the forms submitted to the Issuer or its counsel and not inconsistent with the foregoing documents, with such changes therein not inconsistent with this Bond Ordinance and not substantially adverse to the Issuer as may be permitted by the Act and approved by the officers executing the same on behalf of the Issuer without further approval of the Council or of the Commission if such changes do not affect terms set forth in Indiana Code 36-7-12-27(a)(1) through (a)(10). The approval of such changes by such officers, to the extent such are not substantially adverse to the Issuer, shall be conclusively evidenced by the execution or acceptance of receipt of any of the foregoing documents by such officers.

SECTION 7. Covenants of the Issuer. In addition to other covenants of the Issuer in this Bond Ordinance, the Issuer further covenants and agrees as follows:

(a) Payment of Principal, Premium and Interest. The Issuer will pay, solely from the sources herein provided, or cause to be paid the principal of, premium, if any, and interest on each and all Bonds on the dates, at the places and in the manner provided herein and in the Bonds, and in all other documents referred to herein.

(b) Performance of Covenants, Authority and Actions. The Issuer will at all times faithfully observe and perform all agreements, covenants, undertakings, stipulations and provisions contained in the Financing Documents executed and delivered, or received, under this Bond Ordinance, and in all other proceedings of the Issuer pertaining to the Financing Documents. The Issuer warrants and covenants that it is, and upon delivery of the Bonds will be, duly authorized by the laws of the State, including particularly and without limitation, the Act, to issue the Bonds and to execute the Financing Documents and all other documents to be executed or received by it, to provide the security for payment of the principal of, premium, if any, and interest on the Bonds in the manner and to the extent herein set forth; that all actions on its part for the issuance of the Bonds and execution or acceptance and delivery of the Financing Documents and all other documents to be executed or accepted by it have been or will be duly and effectively taken; and that the Bonds will be valid and enforceable special obligations of the Issuer according to the terms thereof. Each provision of this Bond Ordinance, the Financing Documents and all other documents to be executed by the Issuer is binding upon such officer of the Issuer as may from time to time have the authority under law to take such actions as may be necessary to perform all or any part

of the duty required by such provision; and each duty of the Issuer and of its officers and employees undertaken pursuant to such proceedings for the Bonds and all other documents to be executed by the Issuer is established as a duty of the Issuer and of each such officer and employee having authority to perform such duty.

SECTION 8. No Personal Liability. No recourse under or upon any obligation, covenant, acceptance or agreement contained in this Bond Ordinance, the Financing Documents or under any judgment obtained against the Issuer or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, under or independent of the Loan Agreement, shall be had against any member, director, or officer or attorney, as such, past, present, or future, of the Issuer, either directly or through the Issuer, or otherwise, for the payment for or to the Issuer or any receiver thereof, or for or to any holder of the Bonds secured thereby, or otherwise, of any sum that may be due and unpaid by the Issuer upon any of such Bonds. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such member, director, or officer or attorney, as such, to respond by reason of any act or omission on his or her part, or otherwise, for, directly or indirectly, the payment for or to the Issuer or any receiver thereof, or for or to any owner or holder of the Bonds, or otherwise, of any sum that may remain due and unpaid upon the Bonds hereby secured or any of them, shall be expressly waived and released as a condition of and consideration for the execution and delivery of the Loan Agreement and the issuance, sale and delivery of the Bonds.

SECTION 9. Indemnification. The Borrower will indemnify and hold the Issuer, including its officials, attorneys, employees and agents, free and harmless from any loss, claim, damage, tax, penalty, liability, disbursement, litigation expenses, attorneys' fees and expenses and other court costs arising out of, or in any way relating to, the execution or performance of the Financing Documents or other documents in connection therewith or any other cause whatsoever pertaining to the Project or the Bonds, including the issuance and sale of the Bonds or failure to issue or sell the Bonds or other actions taken under the Financing Documents or other documents in connection therewith or any other cause whatsoever pertaining to the Project or the Bonds, all as further described in the Loan Agreement, except in any case as a result of the intentional misrepresentation or willful misconduct of the Issuer.

SECTION 10. No Debt or Tax Pledge. Pursuant to Indiana Code 36-7-12-25(b), the Bonds shall not constitute a general obligation debt or pledge of the faith and credit of the Issuer, the State or any political subdivision thereof, and the holders, or owners thereof shall have no right to have taxes levied by the Issuer, the State or of any political subdivision, for the payment of the principal thereof or interest thereon. Moneys raised by taxation shall not be obligated or pledged for the payment of principal of or interest on the Bonds, and the Bonds shall be payable solely from the revenues and security interests pledged for their payment as authorized by the Trust Indenture and the Underwriter. The Bonds shall not be taken into account in determining whether obligations issued by or on behalf of the Issuer and subordinate entities thereof during the calendar year 2006 may be designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code.

SECTION 11. Severability. If any section, paragraph or provision of this Bond Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Bond Ordinance.

SECTION 12. Repeal of Conflicting Ordinances, Resolutions and Orders. All ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this Bond Ordinance are, to the extent of such conflict, hereby repealed.

SECTION 13. Public Inspection. Two copies of each of the Financing Documents are on file in the office of the Clerk for public inspection pursuant to Indiana Code 36-1-5-4.

SECTION 14. Compliance with Open Door Law. It is hereby determined that all formal actions of the Council relating to the adoption of this Bond Ordinance were taken in one or more open meetings of the Council, that all deliberations of the Council and of its committees, if any, which resulted in formal action, were in meetings open to the public, and that all such meetings were convened, held and conducted in compliance with applicable legal requirements, including Indiana Code 5-14-1.5 et seq., as amended.

SECTION 15. Additional Actions. The Mayor and the Clerk are authorized to take all such further actions or to execute, attest and deliver such further instruments and documents in the name of the Issuer as in their judgment shall be necessary or advisable in order fully to consummate the transaction and carry out the purposes of this Bond Ordinance.

October 29, 2007

SECTION 16. Effective Date. This Bond Ordinance shall be in full force and effect upon compliance with Indiana Code 36-3-4 et seq.

PROPOSAL NO. 450, 2007. The proposal, sponsored by Councillor Nytes, is a final resolution for Fox Lake Affordable Housing, Inc. (FARH) in an amount not to exceed \$29,700,000 for a full refunding of Multi-family Revenue Bonds Series 1999A and partial refunding of Multifamily Revenue Bonds Subordinate Series 1999B (Lake Nora and Fox Club. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Nytes moved, seconded by Councillor Gibson, for adoption. Proposal No. 450, 2007 was adopted on the following roll call vote; viz:

28 YEAS: Bateman, Borst, Boyd, Cain, Carson, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Sanders, Schneider, Speedy, Vaughn

0 NAYS:

1 NOT VOTING: Brown

Proposal No. 450, 2007 was retitled SPECIAL ORDINANCE NO. 9, 2007, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 9, 2007

A SPECIAL ORDINANCE authorizing the issuance of economic development Multi-Family Revenue Refunding Bonds by the City of Indianapolis, Indiana, in an aggregate principal amount not to exceed Twenty-Nine Million Seven Hundred Thousand Dollars (\$29,700,000), the proceeds of which shall be loaned to FARH (Fox Lake Affordable Housing, Inc.) to finance the full refunding of the City of Indianapolis, Indiana Multi-Family Revenue Bonds Series 1999A and a partial refunding of the City of Indianapolis, Indiana Multi-Family Revenue Bonds Subordinate Series 1999B (Lake Nora and Fox Club Projects) located within the City of Indianapolis, Indiana, and approving and authorizing other actions in respect thereto.

WHEREAS, at a meeting open to the public held on October 9, 2007, the Indianapolis Economic Development Commission (the "Commission") of the City of Indianapolis, Indiana (the "Issuer") adopted its Resolution which approved the issuance of economic development revenue multifamily refunding bonds by the Issuer and the loan of the proceeds thereof to the Borrower (as hereinafter defined) to finance a portion of the costs of the full refunding of the City of Indianapolis, Indiana Multi-family Revenue Bonds (Lake Nora and Fox Club Projects) Series 1999A and a partial refunding of the City of Indianapolis, Indiana Multifamily Revenue Bonds (Lake Nora and Fox Club Projects) Subordinate Series 1999B (the "Project") to be undertaken by FARH - Fox Lake Affordable Housing, Inc. (the "Borrower"), pursuant to the provisions of Indiana Code 36-7-11.9 and -12, as amended (collectively, the "Act"); and

WHEREAS, the Borrower desires to restructure existing debt at the Project to cure existing technical and payment defaults and permit the property to retain financial viability; and

WHEREAS, pursuant to and in accordance with the provisions of the constitution and the laws of the State of Indiana, and particularly the Act, the Issuer is now prepared to issue and sell one or more series of its City of Indianapolis Multifamily Revenue Refunding Bonds, Series 2007 (Lake Nora and Fox Club Projects) (the "Bonds"), in an aggregate principal amount not to exceed \$29,700,000 to obtain funds to finance a portion of the cost of refunding for the Project, by making a loan to the Borrower, all under and in accordance with the Constitution and the laws of the State of Indiana.

WHEREAS, the Bonds will be purchased by J.P. Morgan Securities, Inc. (the "Underwriter") in a private direct sale; and

WHEREAS, it is now necessary, desirable and in the best interests of the Issuer to authorize the execution and delivery of a Loan and Financing Agreement, between the Issuer, the Borrower and U.S. Bank, National Associates, as Trustee (the "Financing Agreement"); and

WHEREAS, it is now necessary, desirable and in the best interests of the Issuer to authorize the execution and delivery of a Trust Indenture between the Issuer and the Trustee (the "Trust Indenture"); and

WHEREAS, it is now necessary, desirable and in the best interests of the Issuer to authorize the execution and delivery of the Refunding Agreement among the Issuer, the Trustee, the Borrower and U.S. Bank, National Association (Successor to National City Bank of Indiana) as trustee for the owners of the Issuer's Multifamily Revenue Bonds (Lake Nora and Fox Club Projects) Series 1999A and Subordinate Series 1999B, Assignment of Rents and Leases between the Borrower and the Issuer (the "Mortgage Agreement"); and

WHEREAS, it is now necessary, desirable and in the best interests of the Issuer to authorize the execution and delivery of the Amended and Restated Tax Regulatory Agreement among the Borrower, the Trustee, the Issuer and Federal National Mortgage Association ("Fannie Mae") (the "Regulatory Agreement"); and

WHEREAS, the Issuer has caused to be prepared and presented (collectively, the "Financing Documents") forms of the following documents which the Issuer proposes to approve the terms of or enter into:

1. the Financing Agreement;
2. the Trust Indenture;
3. the Refunding Agreement;
4. the Regulatory Agreement ; and
5. the Bonds.

WHEREAS, the Issuer is a municipal corporation and political subdivision of the State of Indiana (the "State"), and by virtue of the constitution and laws of the State, including the Act, is authorized and empowered, among other things, to (a) provide funds for the Project; (b) issue its revenue refunding bonds for the purpose set forth herein; (c) secure such revenue bonds by a pledge and assignment of revenues and other documents as provided for herein; and (d) adopt this Bond Ordinance, execute the Financing Documents and all other documents to be executed by it in connection with the issuance of the Bonds, upon the terms and conditions provided therein; and

WHEREAS, the City-County Council (the "Council") has found and determined, and does hereby confirm, that the Project will be to the benefit of the health and general welfare of the citizens of the Issuer, and that the Issuer, by assisting with the financing of the Project through the issuance of one or more series of revenue refunding bonds in an aggregate principal amount not to exceed \$29,700,000, will be acting in a manner consistent with and in furtherance of the provisions of the Act; and

WHEREAS, no member of the Council has any pecuniary interest in any employment, financing agreement or other contract made under the provisions of the Act and related to the Bonds authorized herein, which pecuniary interest has not been fully disclosed to the Council and no such member has voted on any such matter, all in accordance with the provisions of Indiana Code 36-7-12-6; and

WHEREAS, the Borrower will own the real property, improvements located thereon and the equipment constituting the Project, and the Borrower will be liable for the debt described in the Loan Agreement; and

WHEREAS, based upon the resolution adopted by the Commission pertaining to the Project, the Issuer hereby finds and determines that the financing approved by the Commission for the Project will be of benefit to the health and general welfare of the citizens of the Issuer, complies with the provisions of the Act and the amount necessary to finance the costs of the Project, will require the issuance, sale and delivery of one or more series of economic development revenue bonds in an aggregate principal amount not to exceed \$29,700,000; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Definitions. In addition to the words and terms defined in this Bond Ordinance, the words and terms used in this Bond Ordinance shall have the meanings set forth in the Financing Documents unless the context or use indicates another or different meaning or intent, which forms are before this meeting, are hereby incorporated by reference in this Bond Ordinance, and the Clerk of the Issuer (the "Clerk") is hereby directed to insert them into the minutes of the Issuer and to keep them on file as specified in Section 13 hereof.

Any reference herein to the Issuer, or to any officers thereof, shall include those which succeed to their functions, duties or responsibilities pursuant to or by operation of law or who are lawfully performing their functions.

Unless the context shall otherwise indicate, words importing the singular number shall include the plural number, and vice versa, and the terms "hereof," "hereby," "hereto," "hereunder," and similar terms, mean this Bond Ordinance.

SECTION 2. Authorization of the Bonds. It is hereby determined to be necessary to, and the Issuer shall, issue, sell and deliver, as provided and authorized herein and pursuant to the authority of the Act, revenue refunding bonds in one or more series in the maximum aggregate principal amount not to exceed \$29,700,000 and shall be designated as City of Indianapolis, Indiana, Multifamily Revenue Refunding Bonds (Lake Nora and Fox Club Projects) Series 2007 (the "Bonds"), including such further appropriate particular designation or designations added to or incorporated into such title for the Bonds as the Issuer may determine. The proceeds of the Bonds will be purchased by the Underwriter and the proceeds thereof shall be used to make a loan to the Borrower to pay the cost of refinancing the Project, which Project will be used as an economic development facility within the meaning of the Act.

SECTION 3. Terms and Execution of the Bonds. The Bonds shall be issued as fully registered bonds, without coupons, in the denominations set forth in the Bonds, numbered consecutively as set forth in the Bonds, and shall be payable at the office of the Underwriter and mature as provided in the Bond. The Bonds shall have such terms, bear such interest rates (at a fixed rate not to exceed twelve percent (12%) or a variable rate to be determined as set forth in the Bond, and be subject to mandatory and optional redemption or tender as provided therein. The Bonds shall be executed and attested on behalf of the Issuer by the manual or facsimile signatures of the Mayor of the Issuer (the "Mayor"), and the Clerk, respectively, and the seal of the Issuer shall be impressed thereon or a facsimile of such seal placed thereon. In case any officer whose signature or a facsimile thereof shall appear on the Bonds shall cease to be such officer before the issuance or delivery of the Bonds, such signature or facsimile thereof shall nevertheless be valid and sufficient for all purposes, the same as if he or she had remained in office until after that time.

The substantially final form of the Bonds approved by the Commission and submitted to this meeting, subject to appropriate insertions and revisions in order to comply with the provisions of the Trust Indenture, is hereby ratified, and when the same shall be executed on behalf of the Issuer by the appropriate officers thereof in the manner contemplated by the Financing Documents in an aggregate principal amount not to exceed \$29,700,000 shall represent the approved form of Bonds of the Issuer.

The Bonds are special, limited obligations of the Issuer payable solely from payments of principal of, premium, if any, and interest on the Bonds by the Borrower under the Loan Agreement, except to the extent that the principal of, premium, if any, and interest on the Bonds may be paid out of money attributable to Bond proceeds or from temporary investments thereof.

SECTION 4. Sale of the Bonds. The Issuer will sell the Bonds pursuant to the terms of the Trust Indenture at the purchase prices set forth therein, and on the terms and conditions described therein.

SECTION 5. Arbitrage Provisions. Subject to the obligations of the Borrower set forth in the Loan Agreement and the Tax Representation Certificate, the Issuer will use its best efforts to restrict the use of the proceeds of the Bonds in such a manner and to expectations at the time the Bonds are delivered to the purchasers thereof, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations promulgated thereunder. The Mayor and the Clerk, or any other officer having responsibility with respect to the issuance of the Bonds, are authorized and directed, alone or in conjunction with any of the foregoing, or with any other officer, employee, consultant or agent of the Issuer, to deliver a certificate for inclusion in the transcript of proceedings for the Bonds, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to said Section 148 of the Code and the regulations thereunder.

SECTION 6. Financing Documents and all other Documents to be Executed or Accepted by the Issuer. In order to better secure the payment of the principal of, premium, if any, and interest on the Bonds as the same shall become due and payable, the Mayor and the Clerk are authorized and directed to execute, acknowledge and deliver, in the name and on behalf of the Issuer, the Financing Documents, and all other material instruments, agreements, closing papers, certificates, assignments or other documents, including, but not limited to, any such agreements or documents necessary or appropriate for arranging for credit enhancement or securing interest rate protection for the Bonds or investing proceeds of the Bonds, to be executed or accepted by it in substantially the forms submitted to the Issuer or its counsel and not inconsistent with the foregoing documents, with such changes therein not inconsistent with this Bond Ordinance and not substantially adverse to the Issuer as may be permitted by the Act and approved by the officers executing the same on behalf of the Issuer without further approval of the Council or of the Commission if such changes do not affect terms set forth in Indiana Code 36-7-12-27(a)(1) through (a)(10). The approval of such changes by such officers, to the extent such are not substantially adverse to

the Issuer, shall be conclusively evidenced by the execution or acceptance of receipt of any of the foregoing documents by such officers.

SECTION 7. Covenants of the Issuer. In addition to other covenants of the Issuer in this Bond Ordinance, the Issuer further covenants and agrees as follows:

(a) Payment of Principal, Premium and Interest. The Issuer will pay, solely from the sources herein provided, or cause to be paid the principal of, premium, if any, and interest on each and all Bonds on the dates, at the places and in the manner provided herein and in the Bonds, and in all other documents referred to herein.

(b) Performance of Covenants, Authority and Actions. The Issuer will at all times faithfully observe and perform all agreements, covenants, undertakings, stipulations and provisions contained in the Financing Documents executed and delivered, or received, under this Bond Ordinance, and in all other proceedings of the Issuer pertaining to the Financing Documents. The Issuer warrants and covenants that it is, and upon delivery of the Bonds will be, duly authorized by the laws of the State, including particularly and without limitation, the Act, to issue the Bonds and to execute the Financing Documents and all other documents to be executed or received by it, to provide the security for payment of the principal of, premium, if any, and interest on the Bonds in the manner and to the extent herein set forth; that all actions on its part for the issuance of the Bonds and execution or acceptance and delivery of the Financing Documents and all other documents to be executed or accepted by it have been or will be duly and effectively taken; and that the Bonds will be valid and enforceable special obligations of the Issuer according to the terms thereof. Each provision of this Bond Ordinance, the Financing Documents and all other documents to be executed by the Issuer is binding upon such officer of the Issuer as may from time to time have the authority under law to take such actions as may be necessary to perform all or any part of the duty required by such provision; and each duty of the Issuer and of its officers and employees undertaken pursuant to such proceedings for the Bonds and all other documents to be executed by the Issuer is established as a duty of the Issuer and of each such officer and employee having authority to perform such duty.

SECTION 8. No Personal Liability. No recourse under or upon any obligation, covenant, acceptance or agreement contained in this Bond Ordinance, the Financing Documents or under any judgment obtained against the Issuer or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, under or independent of the Loan Agreement, shall be had against any member, director, or officer or attorney, as such, past, present, or future, of the Issuer, either directly or through the Issuer, or otherwise, for the payment for or to the Issuer or any receiver thereof, or for or to any holder of the Bonds secured thereby, or otherwise, of any sum that may be due and unpaid by the Issuer upon any of such Bonds. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such member, director, or officer or attorney, as such, to respond by reason of any act or omission on his or her part, or otherwise, for, directly or indirectly, the payment for or to the Issuer or any receiver thereof, or for or to any owner or holder of the Bonds, or otherwise, of any sum that may remain due and unpaid upon the Bonds hereby secured or any of them, shall be expressly waived and released as a condition of and consideration for the execution and delivery of the Loan Agreement and the issuance, sale and delivery of the Bonds.

SECTION 9. Indemnification. The Borrower will indemnify and hold the Issuer, including its officials, attorneys, employees and agents, free and harmless from any loss, claim, damage, tax, penalty, liability, disbursement, litigation expenses, attorneys' fees and expenses and other court costs arising out of, or in any way relating to, the execution or performance of the Financing Documents or other documents in connection therewith or any other cause whatsoever pertaining to the Project or the Bonds, including the issuance and sale of the Bonds or failure to issue or sell the Bonds or other actions taken under the Financing Documents or other documents in connection therewith or any other cause whatsoever pertaining to the Project or the Bonds, all as further described in the Loan Agreement, except in any case as a result of the intentional misrepresentation or willful misconduct of the Issuer.

SECTION 10. No Debt or Tax Pledge. Pursuant to Indiana Code 36-7-12-25(b), the Bonds shall not constitute a general obligation debt or pledge of the faith and credit of the Issuer, the State or any political subdivision thereof, and the holders, or owners thereof shall have no right to have taxes levied by the Issuer, the State or of any political subdivision, for the payment of the principal thereof or interest thereon. Moneys raised by taxation shall not be obligated or pledged for the payment of principal of or interest on the Bonds, and the Bonds shall be payable solely from the revenues and security interests pledged for their payment as authorized by the Trust Indenture and the Underwriter. The Bonds shall not be taken into account in determining whether obligations issued by or on behalf of the Issuer and subordinate entities thereof during the calendar year 2006 may be designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code.

SECTION 11. Severability. If any section, paragraph or provision of this Bond Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Bond Ordinance.

SECTION 12. Repeal of Conflicting Ordinances, Resolutions and Orders. All ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this Bond Ordinance are, to the extent of such conflict, hereby repealed.

SECTION 13. Public Inspection. Two copies of each of the Financing Documents are on file in the office of the Clerk for public inspection pursuant to Indiana Code 36-1-5-4.

SECTION 14. Compliance with Open Door Law. It is hereby determined that all formal actions of the Council relating to the adoption of this Bond Ordinance were taken in one or more open meetings of the Council, that all deliberations of the Council and of its committees, if any, which resulted in formal action, were in meetings open to the public, and that all such meetings were convened, held and conducted in compliance with applicable legal requirements, including Indiana Code 5-14-1.5 et seq., as amended.

SECTION 15. Additional Actions. The Mayor and the Clerk are authorized to take all such further actions or to execute, attest and deliver such further instruments and documents in the name of the Issuer as in their judgment shall be necessary or advisable in order fully to consummate the transaction and carry out the purposes of this Bond Ordinance.

SECTION 16. Effective Date. This Bond Ordinance shall be in full force and effect upon compliance with Indiana Code 36-3-4 et seq.

PROPOSAL NO. 451, 2007. The proposal, sponsored by Councillor Nytes, is a final resolution for Pedcor Investments-2006-LXXXVIII in an amount not to exceed \$15,000,000 to finance the acquisition, construction and equipping of a 220-unit apartment complex at West 79th Street and Township Line Road (Forest Ridge Apartments Project) (District 7). By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Mansfield said that this project is actually located in District 2, and although she does support the project, she has concerns about the concentration of these types of projects. Councillor Nytes said that there is a map for committee members to visually show the committee where these projects are locating to keep the concentration down and be mindful of that concern.

Councillor Nytes moved, seconded by Councillor Sanders, for adoption. Proposal No. 451, 2007 was adopted on the following roll call vote; viz:

27 YEAS: Bateman, Borst, Boyd, Cain, Carson, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Sanders, Speedy, Vaughn
1 NAYS: Schneider
1 NOT VOTING: Brown

Proposal No. 451, 2007 was retitled SPECIAL ORDINANCE NO. 10, 2007, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 10, 2007

A SPECIAL ORDINANCE authorizing the issuance of variable rate demand Multi-Family Housing Revenue Bonds by the City of Indianapolis, Indiana, in an aggregate principal amount not to exceed Fifteen Million Dollars (\$15,000,000), the proceeds of which shall be loaned to Pedcor Investments – 2006 – LXXXVIII, L.P., to finance the acquisition, construction and equipping of certain economic development facilities located within the City of Indianapolis, Indiana, and approving and authorizing other actions in respect thereto.

WHEREAS, at a meeting open to the public held on October 9, 2007, the Indianapolis Economic Development Commission (the "Commission") of the City of Indianapolis, Indiana (the "Issuer") adopted its Resolution which approved the issuance of variable rate demand economic development revenue bonds by the Issuer and the loan of the proceeds thereof to the Borrower (as hereinafter defined) to finance a portion of the costs of the acquisition, construction and equipping of certain economic development facilities consisting of a 220-unit multi-family affordable rental housing community (the "Project") to be undertaken by Pedcor Investments – 2006 – LXXXVIII, L.P. (the "Borrower"), pursuant to the provisions of Indiana Code 36-7-11.9 and -12, as amended (collectively, the "Act"); and

WHEREAS, pursuant to and in accordance with the provisions of the constitution and the laws of the State of Indiana, and particularly the Act, the Issuer is now prepared to issue and sell one or more series of its Variable Rate Demand Multifamily Housing Revenue Bonds, Series 2007 (Forest Ridge Apartments Project), in an aggregate principal amount not to exceed \$15,000,000 to obtain funds to finance a portion of the cost of the Project, by making a loan to the Borrower, all under and in accordance with the Constitution and the laws of the State of Indiana.

WHEREAS, the Bonds will be purchased by Citigroup Global Markets, Inc. (the "Underwriter") in a private direct sale; and

WHEREAS, it is now necessary, desirable and in the best interests of the Issuer to authorize the execution and delivery of a Loan Agreement, between the Issuer and the Borrower dated as of November 1, 2007 (the "Loan Agreement"); and

WHEREAS, it is now necessary, desirable and in the best interests of the Issuer to authorize the execution and delivery of a Trust Indenture and, by and between the Issuer and The Bank of New York Trust Company, N.A. as Trustee, dated as of November 1, 2007 (the "Trust Indenture"); and

WHEREAS, it is now necessary, desirable and in the best interests of the Issuer to authorize the execution and delivery of one or more Land Use Restriction Agreements by and among the Issuer, the Borrower and the Trustee dated as of November 1, 2007 (the "Land Use Restriction Agreement"); and

WHEREAS, the Issuer has caused to be prepared and presented (collectively, the "Financing Documents") forms of the following documents which the Issuer proposes to approve the terms of or enter into:

1. the Loan Agreement;
2. the Trust Indenture;
3. the Land Use Restriction Agreement; and
3. the Bonds (as defined herein).

WHEREAS, the Issuer is a municipal corporation and political subdivision of the State of Indiana (the "State"), and by virtue of the constitution and laws of the State, including the Act, is authorized and empowered, among other things, to (a) provide funds for the Project; (b) issue its revenue Bonds for the purpose set forth herein; (c) secure such revenue bonds by a pledge and assignment of revenues and other documents as provided for herein; and (d) adopt this Bond Ordinance, execute the Financing Documents and all other documents to be executed by it in connection with the issuance of the Bonds, upon the terms and conditions provided therein; and

WHEREAS, the City-County Council (the "Council") has found and determined, and does hereby confirm, that the Project will be to the benefit of the health and general welfare of the citizens of the Issuer, and that the Issuer, by assisting with the financing of the Project through the issuance of one or more series of revenue refunding bonds in an aggregate principal amount not to exceed \$15,000,000, will be acting in a manner consistent with and in furtherance of the provisions of the Act; and

WHEREAS, no member of the Council has any pecuniary interest in any employment, financing agreement or other contract made under the provisions of the Act and related to the Bonds authorized herein, which pecuniary interest has not been fully disclosed to the Council and no such member has voted on any such matter, all in accordance with the provisions of Indiana Code 36-7-12-6; and

WHEREAS, the Borrower will own the real property, improvements located thereon and the equipment constituting the Project, and the Borrower will be liable for the debt described in the Loan Agreement; and

WHEREAS, based upon the resolution adopted by the Commission pertaining to the Project, the Issuer hereby finds and determines that the financing approved by the Commission for the Project will be of benefit to the health and general welfare of the citizens of the Issuer, complies with the provisions of

the Act and the amount necessary to finance the costs of the Project, will require the issuance, sale and delivery of one or more series of economic development revenue bonds in an aggregate principal amount not to exceed \$15,000,000; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Definitions. In addition to the words and terms defined in this Bond Ordinance, the words and terms used in this Bond Ordinance shall have the meanings set forth in the Financing Documents unless the context or use indicates another or different meaning or intent, which forms are before this meeting, are hereby incorporated by reference in this Bond Ordinance, and the Clerk of the Issuer (the "Clerk") is hereby directed to insert them into the minutes of the Issuer and to keep them on file as specified in Section 13 hereof.

Any reference herein to the Issuer, or to any officers thereof, shall include those which succeed to their functions, duties or responsibilities pursuant to or by operation of law or who are lawfully performing their functions.

Unless the context shall otherwise indicate, words importing the singular number shall include the plural number, and vice versa, and the terms "hereof," "hereby," "hereto," "hereunder," and similar terms, mean this Bond Ordinance.

SECTION 2. Authorization of the Bonds. It is hereby determined to be necessary to, and the Issuer shall, issue, sell and deliver, as provided and authorized herein and pursuant to the authority of the Act, revenue bonds in one or more series in the maximum aggregate principal amount not to exceed \$15,000,000 and shall be designated as \$12,900,000 City of Indianapolis, Indiana, Variable Rate Demand Multifamily Housing Revenue Bonds (Forest Ridge Apartments Project) Series 2007A and \$950,000 City of Indianapolis, Indiana, Taxable Variable Rate Demand Multifamily Housing Revenue Bonds (Forest Ridge Apartments Project) Series 2007B (collectively the "Bonds"), including such further appropriate particular designation or designations added to or incorporated into such title for the Bonds as the Issuer may determine. The proceeds of the Bonds will be purchased by the Underwriter and the proceeds thereof shall be used to make a loan to the Borrower to pay the cost of financing the Project, which Project will be used as an economic development facility within the meaning of the Act.

SECTION 3. Terms and Execution of the Bonds. The Bonds shall be issued as fully registered bonds, without coupons, in the denominations set forth in the Bonds, numbered consecutively as set forth in the Bonds, and shall be payable at the office of the Underwriter and mature as provided in the Bond. The Bonds shall have such terms, bear such interest rates (at a fixed rate not to exceed twelve percent (12%) or a variable rate to be determined as set forth in the Bond, and be subject to mandatory and optional redemption or tender as provided therein. The Bonds shall be executed and attested on behalf of the Issuer by the manual or facsimile signatures of the Mayor of the Issuer (the "Mayor"), and the Clerk, respectively, and the seal of the Issuer shall be impressed thereon or a facsimile of such seal placed thereon. In case any officer whose signature or a facsimile thereof shall appear on the Bonds shall cease to be such officer before the issuance or delivery of the Bonds, such signature or facsimile thereof shall nevertheless be valid and sufficient for all purposes, the same as if he or she had remained in office until after that time.

The substantially final form of the Bonds approved by the Commission and submitted to this meeting, subject to appropriate insertions and revisions in order to comply with the provisions of the Trust Indenture, is hereby ratified, and when the same shall be executed on behalf of the Issuer by the appropriate officers thereof in the manner contemplated by the Financing Documents in an aggregate principal amount not to exceed \$15,000,000 shall represent the approved form of Bonds of the Issuer.

The Bonds are special, limited obligations of the Issuer payable solely from payments of principal of, premium, if any, and interest on the Bonds by the Borrower under the Loan Agreement, except to the extent that the principal of, premium, if any, and interest on the Bonds may be paid out of money attributable to Bond proceeds or from temporary investments thereof.

SECTION 4. Sale of the Bonds. The Issuer will sell the Bonds pursuant to the terms of the Trust Indenture at the purchase prices set forth therein, and on the terms and conditions described therein.

SECTION 5. Arbitrage Provisions. Subject to the obligations of the Borrower set forth in the Loan Agreement and the Tax Representation Certificate, the Issuer will use its best efforts to restrict the use of the proceeds of the Bonds in such a manner and to expectations at the time the Bonds are delivered to the purchasers thereof, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations promulgated thereunder. The Mayor and the Clerk, or any other officer having responsibility

with respect to the issuance of the Bonds, are authorized and directed, alone or in conjunction with any of the foregoing, or with any other officer, employee, consultant or agent of the Issuer, to deliver a certificate for inclusion in the transcript of proceedings for the Bonds, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to said Section 148 of the Code and the regulations thereunder.

SECTION 6. Financing Documents and all other Documents to be Executed or Accepted by the Issuer. In order to better secure the payment of the principal of, premium, if any, and interest on the Bonds as the same shall become due and payable, the Mayor and the Clerk are authorized and directed to execute, acknowledge and deliver, in the name and on behalf of the Issuer, the Financing Documents, and all other material instruments, agreements, closing papers, certificates, assignments or other documents, including, but not limited to, any such agreements or documents necessary or appropriate for arranging for credit enhancement or securing interest rate protection for the Bonds or investing proceeds of the Bonds, to be executed or accepted by it in substantially the forms submitted to the Issuer or its counsel and not inconsistent with the foregoing documents, with such changes therein not inconsistent with this Bond Ordinance and not substantially adverse to the Issuer as may be permitted by the Act and approved by the officers executing the same on behalf of the Issuer without further approval of the Council or of the Commission if such changes do not affect terms set forth in Indiana Code 36-7-12-27(a)(1) through (a)(10). The approval of such changes by such officers, to the extent such are not substantially adverse to the Issuer, shall be conclusively evidenced by the execution or acceptance of receipt of any of the foregoing documents by such officers.

SECTION 7. Covenants of the Issuer. In addition to other covenants of the Issuer in this Bond Ordinance, the Issuer further covenants and agrees as follows:

(a) Payment of Principal, Premium and Interest. The Issuer will pay, solely from the sources herein provided, or cause to be paid the principal of, premium, if any, and interest on each and all Bonds on the dates, at the places and in the manner provided herein and in the Bonds, and in all other documents referred to herein.

(b) Performance of Covenants, Authority and Actions. The Issuer will at all times faithfully observe and perform all agreements, covenants, undertakings, stipulations and provisions contained in the Financing Documents executed and delivered, or received, under this Bond Ordinance, and in all other proceedings of the Issuer pertaining to the Financing Documents. The Issuer warrants and covenants that it is, and upon delivery of the Bonds will be, duly authorized by the laws of the State, including particularly and without limitation, the Act, to issue the Bonds and to execute the Financing Documents and all other documents to be executed or received by it, to provide the security for payment of the principal of, premium, if any, and interest on the Bonds in the manner and to the extent herein set forth; that all actions on its part for the issuance of the Bonds and execution or acceptance and delivery of the Financing Documents and all other documents to be executed or accepted by it have been or will be duly and effectively taken; and that the Bonds will be valid and enforceable special obligations of the Issuer according to the terms thereof. Each provision of this Bond Ordinance, the Financing Documents and all other documents to be executed by the Issuer is binding upon such officer of the Issuer as may from time to time have the authority under law to take such actions as may be necessary to perform all or any part of the duty required by such provision; and each duty of the Issuer and of its officers and employees undertaken pursuant to such proceedings for the Bonds and all other documents to be executed by the Issuer is established as a duty of the Issuer and of each such officer and employee having authority to perform such duty.

SECTION 8. No Personal Liability. No recourse under or upon any obligation, covenant, acceptance or agreement contained in this Bond Ordinance, the Financing Documents or under any judgment obtained against the Issuer or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, under or independent of the Loan Agreement, shall be had against any member, director, or officer or attorney, as such, past, present, or future, of the Issuer, either directly or through the Issuer, or otherwise, for the payment for or to the Issuer or any receiver thereof, or for or to any holder of the Bonds secured thereby, or otherwise, of any sum that may be due and unpaid by the Issuer upon any of such Bonds. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such member, director, or officer or attorney, as such, to respond by reason of any act or omission on his or her part, or otherwise, for, directly or indirectly, the payment for or to the Issuer or any receiver thereof, or for or to any owner or holder of the Bonds, or otherwise, of any sum that may remain due and unpaid upon the Bonds hereby secured or any of them, shall be expressly waived and released as a condition of and consideration for the execution and delivery of the Loan Agreement and the issuance, sale and delivery of the Bonds.

SECTION 9. Indemnification. The Borrower will indemnify and hold the Issuer, including its officials, attorneys, employees and agents, free and harmless from any loss, claim, damage, tax, penalty, liability, disbursement, litigation expenses, attorneys' fees and expenses and other court costs arising out of, or in any way relating to, the execution or performance of the Financing Documents or other documents in connection therewith or any other cause whatsoever pertaining to the Project or the Bonds, including the issuance and sale of the Bonds or failure to issue or sell the Bonds or other actions taken under the Financing Documents or other documents in connection therewith or any other cause whatsoever pertaining to the Project or the Bonds, all as further described in the Loan Agreement, except in any case as a result of the intentional misrepresentation or willful misconduct of the Issuer.

SECTION 10. No Debt or Tax Pledge. Pursuant to Indiana Code 36-7-12-25(b), the Bonds shall not constitute a general obligation debt or pledge of the faith and credit of the Issuer, the State or any political subdivision thereof, and the holders, or owners thereof shall have no right to have taxes levied by the Issuer, the State or of any political subdivision, for the payment of the principal thereof or interest thereon. Moneys raised by taxation shall not be obligated or pledged for the payment of principal of or interest on the Bonds, and the Bonds shall be payable solely from the revenues and security interests pledged for their payment as authorized by the Trust Indenture and the Underwriter. The Bonds shall not be taken into account in determining whether obligations issued by or on behalf of the Issuer and subordinate entities thereof during the calendar year 2006 may be designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code.

SECTION 11. Severability. If any section, paragraph or provision of this Bond Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Bond Ordinance.

SECTION 12. Repeal of Conflicting Ordinances, Resolutions and Orders. All ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this Bond Ordinance are, to the extent of such conflict, hereby repealed.

SECTION 13. Public Inspection. Two copies of each of the Financing Documents are on file in the office of the Clerk for public inspection pursuant to Indiana Code 36-1-5-4.

SECTION 14. Compliance with Open Door Law. It is hereby determined that all formal actions of the Council relating to the adoption of this Bond Ordinance were taken in one or more open meetings of the Council, that all deliberations of the Council and of its committees, if any, which resulted in formal action, were in meetings open to the public, and that all such meetings were convened, held and conducted in compliance with applicable legal requirements, including Indiana Code 5-14-1.5 et seq., as amended.

SECTION 15. Additional Actions. The Mayor and the Clerk are authorized to take all such further actions or to execute, attest and deliver such further instruments and documents in the name of the Issuer as in their judgment shall be necessary or advisable in order fully to consummate the transaction and carry out the purposes of this Bond Ordinance.

SECTION 16. Effective Date. This Bond Ordinance shall be in full force and effect upon compliance with Indiana Code 36-3-4 et seq.

PROPOSAL NO. 452, 2007. The proposal, sponsored by Councillor Nytes, is an inducement resolution for GMF Mann Village LLC in an amount not to exceed \$14,500,000 to finance the acquisition and rehabilitation of the project formerly known as Mann Village Apartments, consisting of 336 units at 4010 Mann Village Road (Global Ministries Fellowship). By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Cockrum stated that this project is in his district, and he was not in favor of it at first because of the property tax revenue loss. He said that the property is currently taxed at \$1 million, and the developer has agreed to a payment in lieu of taxes (PILOT) for \$100,000 as of this afternoon, with an agreement to negotiate. He said that while it does not make up the total loss in revenue, it is better than nothing and State law allows not-for-profits to enter into commercial ventures. While it is not ideal, he will support it, because \$100,000 is better than

nothing. Councillor Nytes said that it is an Internal Revenue Service provision that allows this, not State law.

President Gray asked why the vote was only 4-0. Councillor Nytes said that they have had some problems with attendance at Economic Development Committee meetings, but she hopes that will change.

Councillor Nytes moved, seconded by Councillor Gibson, for adoption. Proposal No. 452, 2007 was adopted on the following roll call vote; viz:

26 YEAS: Bateman, Borst, Boyd, Cain, Carson, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Sanders, Speedy, Vaughn
2 NAYS: McWhirter, Schneider
1 NOT VOTING: Brown

Proposal No. 452, 2007 was retitled SPECIAL ORDINANCE NO. 11, 2007, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 11, 2007

A SPECIAL ORDINANCE approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the company; and

WHEREAS, GMF Mann Village LLC, or its assigns (the "Applicant") has advised the Indianapolis Economic Development Commission (the "Commission") and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to consist of the acquisition and rehabilitation of the project formerly known as Mann Village Apartments consisting of 336 units located at 4010 Mann Village Road (Global Ministries Fellowship ("GMF") Mann Village project located in District 22 (the "Project"); and

WHEREAS, the diversification of industry and the creation and retention of opportunities for gainful employment and the creation of business opportunities to be achieved by the acquisition and construction of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of benefit to the health and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the creation and retention of opportunities for gainful employment within the jurisdiction of the Issuer; is desirable, serves a public purpose and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that the Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the retention of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that issuance and sale of revenue bonds of the Issuer in an amount not to exceed \$14,500,000 under the Act to be privately placed or publicly offered if permitted by current policy of the Commission for the acquisition and rehabilitation of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition and construction of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition and rehabilitation of the Project, the commission requests the City-County Council of the Issuer to (i) take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that the proposed inducement resolution expires on September 30, 2008, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the City-County Council of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action extends the term of the inducement resolution; and (ii) it will adopt such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds provided that at the time of the proposed issuance of such bonds (a) the inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during the calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurance that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may, and in all probability will, be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bond and have received inducement resolutions; and (3) no portion of such private activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of the authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of the special resolution to be adopted by the City-County Council of the Issuer, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition and construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the Project to the Applicant of loan the proceeds of the revenue bonds to the Applicant for the Project. Also certain indirect expenses incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (T 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

SECTION 5. This Commission recognizes that the Applicant may utilize Tax Credits, if available, pursuant to Section 42 of the Internal Revenue Code of 1986, as amended, or any successor section thereof in connection with the financing of the Project with tax-exempt bonds.

SECTION 6. The Council hereby finds and determines that the amount of tax credits to be allocated to the Project under Section 42 of the Internal Revenue Code of 1986, as amended, does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project. In making the foregoing determination, the Issuer has relied upon representations of the Applicant. The foregoing determinations shall not be construed to be a representation or warranty by the Issuer as to the feasibility or viability of the Project. The Mayor of the City of Indianapolis (the "Mayor") is hereby directed to delegate to the Director, Department of Metropolitan Development, the authority to execute on behalf of the Mayor and the Issuer any and all documents required in the application process for tax credit or volume cap allocations from the appropriate State of Indiana agency. In reliance upon the representations of the Applicant, it is hereby found and determined that the Project satisfies the requirements for the allocation of a housing credit dollar amount under the State's qualified allocation plan.

SECTION 7. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 478, 2007, PROPOSAL NOS. 479-486, 2007, PROPOSAL NOS. 487-491, 2007, PROPOSAL NOS. 492-495, 2007 AND PROPOSAL NO. 496, 2007. Introduced by

Councillor Mahern. Proposal No. 478, 2007, Proposal Nos. 479-486, 2007, Proposal Nos. 487-491, 2007, Proposal Nos. 492-495, 2007 and Proposal No. 496, 2007 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on October 12, 18, and 19, 2007. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 106-124, 2007, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 106, 2007.

2007-ZON-048 (2007-DP-003)

1270, 1310 and 1314 North Post Road and 8850 Spoon Drive (Approximate Addresses), Indianapolis

WARREN TOWNSHIP, COUNCILMANIC DISTRICT 21

Thomas M. Dafnos Revocable Trust / Greenwalt Post Road, LLC, by David Kingen requests rezoning of 9.27 acres, from the D-A, D-P and C-1 Districts, to the D-P classification to provide for the expansion of an assisted living facility including the construction of a “memory care” facility, and to provide for an expansion of C-1 medical related and other professional offices, and two-family dwelling condominiums.

REZONING ORDINANCE NO. 107, 2007.

2007-ZON-047

5815 AND 5829 SOUTH EMERSON AVENUE (Approximate Address), INDIANAPOLIS

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 25

Jenco Investments, LLC, by David A. Retherford requests rezoning of six acres, from the D-A District, to the C-S classification to provide for C-3 and C-1 uses.

REZONING ORDINANCE NO. 108, 2007.

2007-ZON-069

803 EAST 38TH STREET (Approximate Address), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9

E & L Son Enterprises, LLC, by David Kingen, requests rezoning of 0.15 acre, from the D-8 (W-5) District, to the C-2 (W-5) classification to provide for high-intensity office-apartment commercial uses.

REZONING ORDINANCE NO. 109, 2007.

2007-ZON-076

7439 AND 7451 WOODLAND DRIVE (Approximate Address), INDIANAPOLIS

PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 1

ROTH PROPERTIES, INC., by Philip A. Nicely requests rezoning of 2.303 acres, from the C-S District, to the C-S classification to provide for a hotel, C-1 uses and I-2 uses.

REZONING ORDINANCE NO. 110, 2007.

2007-ZON-082

6011 SOUTHEASTERN AVENUE (Approximate Address), INDIANAPOLIS

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 25

S-MART REAL ESTATE, INC, by Warren K. Johnson, requests rezoning of 0.5 acre, from the D-A District, to the C-3 classification to provide for neighborhood commercial uses.

REZONING ORDINANCE NO. 111, 2007.

2007-ZON-086

67 NORTH SHORTRIDGE ROAD (Approximate Address), INDIANAPOLIS

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 21

ROBERT B. MCCLAIN, by Anthony M. Campo, requests rezoning of 0.8057 acre, from the D-3 District, to the C-3 classification to provide for neighborhood commercial uses.

REZONING ORDINANCE NO. 112, 2007.

2007-ZON-091

12 EAST RAY STREET (Approximate Address), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 19

October 29, 2007

JOHN BRAGG requests rezoning of 0.089 acre, from the C-5 (RC) District, to the CBD-2 (RC) classification to provide for central business district two uses.

REZONING ORDINANCE NO. 113, 2007.

2007-ZON-096

8005 OAKLANDON ROAD (Approximate Address), CITY OF LAWRENCE
LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 5

Holy Cross Lutheran Church of Indianapolis, Inc., by David F. Rees requests rezoning of 15.71 acres, from the D-2 District, to the SU-1 classification to provide for religious uses.

REZONING ORDINANCE NO. 114, 2007.

2007-ZON-845

6901 BLUFF ROAD (Approximate Address), INDIANAPOLIS
PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 22

Allan A. and Stella Von Essen, by Mary E. Solada requests rezoning of 3.6 acres, from the D-A District, to the C-3 classification to provide for neighborhood commercial uses.

REZONING ORDINANCE NO. 115, 2007.

2006-ZON-066

2602 AND 2620 NORTH LASALLE STREET AND 2615 NORTH DEARBORN STREET
(Approximate Address), INDIANAPOLIS
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 10

NEW ZION TABERNACLE CHURCH INC. requests rezoning of 0.89 acre, from the D-5 District, to the SU-1 classification to legally establish and provide for the expansion of religious uses.

REZONING ORDINANCE NO. 116, 2007.

2006-ZON-152

116 AND 134 WEST 21ST STREET (Approximate Address), INDIANAPOLIS
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 15

CLARION HEALTH PARTNERS, INC, by David Kingen, requests rezoning of 0.81 acres, from the C-2 (W-5) and C-4 (W-5) Districts, to the HD-1 (W-5) classification to provide for Hospital Uses.

REZONING ORDINANCE NO. 117, 2007.

2007-ZON-074

8301 TROTTER ROAD (Approximate Address), INDIANAPOLIS
DECATUR TOWNSHIP, COUNCILMANIC DISTRICT # 22

DECATUR TOWNSHIP TRUSTEE requests rezoning of 2.475 acres, from the D-3 District, to the SU-9 classification to provide for a fire station.

REZONING ORDINANCE NO. 118, 2007.

2007-ZON-075

7016 SOUTH FRANKLIN ROAD (Approximate Address), INDIANAPOLIS
FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 25

BREMNERDUKE HEALTHCARE REAL ESTATE, by Joseph D. Calderon requests rezoning of 3.15 acres, from the D-A District, to the C-1 classification to provide for office-buffer commercial uses.

REZONING ORDINANCE NO. 119, 2007.

2007-ZON-080

1611 CORNELL AVENUE (Approximate Address), INDIANAPOLIS
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9

JASON WOLFE requests rezoning of 0.1148 acre, from the I-3-U District, to the D-8 classification to provide for residential uses.

REZONING ORDINANCE NO. 120, 2007.

2007-ZON-068

20 AND 64 NORTH FRANKLIN ROAD (Approximate Address), INDIANAPOLIS
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 21

C FRANK, LLC AND CHARLES LAUGHNER, by David Kingen requests rezoning of 3.7 acres, from the C-3 and C-4 Districts, to the C-4 classification to provide for community-regional commercial uses.

REZONING ORDINANCE NO. 121, 2007.

2007-ZON-825

5802, 5804, 5806, 5856, 5854, 5858, 5860 AND 5880 EAST 71ST STREET, 7201 GRAHAM ROAD AND 6161 EAST 75TH STREET (Approximate Address), INDIANAPOLIS LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 5
THE KROGER COMPANY, by Thomas Michael Quinn, requests rezoning of 14.5 acres, from the C-3, C-4 and I-2-S Districts, to the C-4 classification to provide for regional commercial uses.

REZONING ORDINANCE NO. 122, 2007.

2007-ZON-833

5151 EAST 82ND STREET (Approximate Address), INDIANAPOLIS WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 4
PETSMART, INC., by Thomas H. Engle, requests rezoning of 1.678 acres, from the C-S District, to the C-S classification to provide for a kennel, associated with retail pet store.

REZONING ORDINANCE NO. 123, 2007.

2007-ZON-836

1029 FLETCHER AVENUE AND 718 SHELBY STREET (Approximate Addresses) INDIANAPOLIS CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 19
KEEP INDIANAPOLIS BEAUTIFUL, by J. Spencer Viernes requests rezoning of 1.073 acres, from the D-5, C-1, C-3C and C-5 Districts, to the C-S classification to provide for C-1 uses, warehouse/indoor storage associated with an office use, and an outdoor garden/nursery.

REZONING ORDINANCE NO. 124, 2007.

2007-ZON-050

825 AND 903 NORTH DELAWARE STREET (Approximate Address), INDIANAPOLIS CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9
SHELTON DEVELOPMENT GROUP, LLC, requests rezoning of 0.20 acre, from the C-4 District, to the CBD-2 classification to allow for residential use.

SPECIAL ORDERS - PUBLIC HEARING

Councillor Sanders reported that the Administration and Finance Committee heard Proposal Nos. 268 and 269, 2007 on June 19 and October 16, 2007. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 268, 2007. The proposal, sponsored by Councillor Nytes, establishes the maximum tax rate that may be imposed for the City Cumulative Capital Development Fund. PROPOSAL NO. 269, 2007. The proposal, sponsored by Councillor Nytes, establishes the maximum tax rate that may be imposed for the County Cumulative Development Fund. By a 4-0 vote, the Committee reported the proposals to the Council with the recommendation that they be stricken. Councillor Sanders moved, seconded by Councillor Nytes, to strike. Proposal Nos. 268 and 269, 2007 were stricken by a unanimous voice vote.

PROPOSAL NO. 423, 2007. Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 423, 2007 on October 16, 2007. The proposal, sponsored by Councillors Sanders, Nytes and Bateman, appropriates \$155,400 in the 2007 Budgets of the County Assessor and the County Treasurer (County General and Property Reassessment Funds) to pay for expenses related to the state ordered property reassessment for the 2006 pay 2007 tax year. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Borst asked who the highly skilled people are who will fill these positions and where they come from. Councillor Sanders said she believes they are private sector individuals.

Councillor Borst asked if they are individuals involved in assessing and if they have experience in these areas. Greg Bowes, County Assessor, stated that of the the individuals has been promoted from within and has been assessing for nine years. Another individual was a chief deputy assessor in the township for more than 12 years. The other two individuals are from the Department of Local Government and Finance, with one having over 20 years experience and experience with the International Association of Assessing Officers. The final individual has several computing degrees and will be doing data analysis.

President Gray called for public testimony at 8:27 p.m.

Robert Yahara, citizen, gave a brief synopsis of the story of Robin Hood and asked the Council to restore justice and equity to the people.

Larry Vaughn, citizen, stated that the Council just approved a \$14 million inducement bond backed by property tax dollars, and that would not be necessary if developers would not come begging for public dollars for their personal businesses. He said that these inducements should stop when there have been 20,000 senior citizens forced to leave their homes. Councillor Nytes said that inducement bonds are not backed by property taxes, but are revenue bonds backed by the proceeds of the development.

Reverend Mohammed Ajabu, citizen, stated that he has concerns about the assessment process and the qualifications of these individuals. He said that working for the current assessing agencies does not institute experience, as they could have been doing it wrong for 20 years. He said that they need to be certified by an accredited agency.

There being no further testimony, Councillor Sanders moved, seconded by Councillor Gray, for adoption. Proposal No. 423, 2007 was adopted on the following roll call vote; viz:

24 YEAS: Bateman, Borst, Boyd, Brown, Carson, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Pryor, Sanders, Speedy, Vaughn
5 NAYS: Cain, Lutz, Plowman, Randolph, Schneider

Proposal No. 423, 2007 was retitled FISCAL ORDINANCE NO. 90, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 90, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating One Hundred Fifty-five Thousand Four Hundred Dollars (\$155,400) in the County General Fund for purposes of the Marion County Assessor and Marion County Treasurer.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 (f) and 104 (c) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Assessor and Marion County Treasurer to pay for expenses related to the state ordered reassessment of property for the 2006 pay 2007 tax year, financed by fund balance and transfer between characters.

SECTION 2. The sum of One Hundred Fifty-five Thousand Four Hundred Dollars (\$155,400) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriated balance as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	70,000
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	70,000
<u>MARION COUNTY ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	<u>5,000</u>
TOTAL INCREASE	5,000
<u>MARION COUNTY TREASURER</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	20,400
2. Supplies	0
3. Other Services and Charges	60,000
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	80,400

SECTION 4. The said additional appropriation is funded by the following reductions:

<u>MARION COUNTY ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
1. Personal Services	0
2. Supplies	2,400
3. Other Services and Charges	2,600
4. Capital Outlay	<u>0</u>
TOTAL REDUCTION	5,000
	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>150,400</u>
TOTAL REDUCTION	150,400

SECTION 5. In accordance with section 151-64 of the revised code of the Consolidated City and County, the following fund balance information is provided:

After deducting the appropriation included in this and other pending proposals, the 2007 ending fund balance for the Consolidated County Fund is estimated to be \$6.3 million.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14

Councillor Lutz asked for consent to explain his vote. Consent was given. Councillor Lutz stated that he has concerns about a reassessment ordered by the governor with two people from township assessors offices who did the original wrong assessments, and another from the DLGF, where the head was dismissed, and therefore, he does not have a lot of confidence in these qualifications.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 428, 429 and 433-435, 2007 on October 10, 2007. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 428, 2007. The proposal, sponsored by Councillors Moriarty Adams, Brown, Conley, Boyd and Gibson, appropriates \$1,470,434 in the 2007 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to fund salaries and fringes for child interviewers; salaries, supplies, training, and child interviewing equipment upgrades; eight victim advocate positions; five teams of local law enforcement from six departments; and overtime patrols to

combat impaired driving and increase seat belt usage in Marion County, funded by various grants. PROPOSAL NO. 429, 2007. The proposal, sponsored by Councillors Franklin, Plowman and Conley, appropriates \$200,237 in the 2007 Budget of the Marion County Forensic Services Agency (State and Federal Grants Fund) to allow for the researching of current cold cases and the analysis of approximately 225 cases that demonstrate possible DNA eligible evidence, financed by a grant from the U.S. Department of Justice/National Institute of Justice. PROPOSAL NO. 433, 2007. The proposal, sponsored by Councillors Moriarty Adams, Brown, Conley, Sanders, Boyd and Gibson, appropriates \$1,500 in the 2007 Budget of the Marion Superior Court (County Grants Fund) for a public awareness campaign about jury summonses, financed by a grant from the Indianapolis Bar Foundation. PROPOSAL NO. 434, 2007. The proposal, sponsored by Councillors Moriarty Adams, McWhirter, Brown, Sanders, Conley, Gibson and Boyd, appropriates \$3,402,712 in the 2007 Budget of the Indianapolis Metropolitan Police Department (Federal Grants and Non-Lapsing Federal Grants Funds) for the reimbursement of overtime of five federal task force teams for the following initiatives: Weed and Seed, Cold Case Initiative, Gang Resistance Education and Training, Grants to Encourage Arrests, Edward Byrne Memorial Justice Assistance Grant, Victims Assistance, Indy Nite Lite, Narcotic Interdiction School, and Highway Interdiction Training funded by various grants. PROPOSAL NO. 435, 2007. The proposal, sponsored by Councillors Moriarty Adams, McWhirter, Brown, Sanders, Conley, Gibson and Boyd, transfers and appropriates \$899,072 in the 2007 Budget of the Department of Public Safety. Emergency Management Planning and Fire Divisions (Non-lapsing Federal Grants Fund) for various Urban Area Security Initiatives (UASI), including laptop computers with aerial photography software, search and rescue technical equipment, advanced commercial vehicle crime and terrorism interdiction training, public safety communications terrorism awareness and public safety dispatchers training, all financed by grants from the U.S. Department of Homeland Security. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President Gray called for public testimony at 8:57 p.m.

Shari Jackson, citizen, stated that she hopes some of the money from Proposal No. 428, 2007 is used to fund interpreters for deaf people who are victims.

Mr. Vaughn stated that he has concerns about federal grant funding, because citizens then have to pay for those programs long after the federal money runs out.

Adam Longworth, citizen, stated that he has been involved with drunk driving prevention since he was 14 years old, and these grants and programs are extremely important to the community. He asked if the patterson amendment language is included in these grant funding proposals. Councillor Moriarty Adams stated that the patterson amendment is included where applicable.

There being no further testimony, Councillor Moriarty Adams moved, seconded by Councillor Oliver, for adoption. Proposal Nos. 428, 429 and 433-435, 2007 were adopted on the following roll call vote; viz:

29 YEAS: Bateman, Borst, Boyd, Brown, Cain, Carson, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Sanders, Schneider, Speedy
0 NAYS:

Proposal No. 428, 2007 was retitled FISCAL ORDINANCE NO. 91, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 91, 2007

Proposal No. 428, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating One Million Four Hundred Seventy Thousand Four Hundred Thirty-Four Dollars (\$1,470,434) in the State and Federal Grants Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.05 (c) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Prosecutor to pay for the following initiatives:

1. Child Interviewers

Grant in the amount of \$95,237 to fund 2.5 child interviewers located at the Child Advocacy Center. This is a continued program funded through a grant awarded by the Indiana Criminal Justice Institute. Matching funds in the amount of \$23,810 will come from the Prosecutor's Deferral Fund and is already appropriated in the 2007 budget.

2. Child Advocacy Center

Grant in the amount of \$270,000 to fund salaries, supplies, training, and child interviewing equipment upgrades at the Child Advocacy Center. This is a continued program funded through a grant awarded by the Indiana Department of Child Services. No matching funds are required.

3. Victim Advocates

Grant in the amount of \$270,205 to fund eight victim advocate positions for various divisions with the prosecutor's office. This is a continued program funded through a grant awarded by the Indiana Criminal Justice Institute through the U.S. Department of Justice Victims Crime Act Victim Assistance Grant. Matching funds in the amount of \$67,552 are already budgeted in the 2007 county general and deferral fund.

4. FACT/OVWI Prosecutor

Grant through the Governor's Council on Impaired and Dangerous Driving in the amount \$199,992 which funds 5 teams of local law enforcement officers from 6 departments. These teams respond to any fatality or serious bodily injury crash in Marion County. The team also responds to all hit and run crashes. The officers are specialized in different fields involving impaired crashes. An OVWI Prosecutor also responds to every FACT crash scene. Because of their expertise, this team continues to have a 100% conviction rate. No match is required for this grant.

5. OPO/BCC

Grant through the Governor's Council on Impaired and Dangerous Driving the amount of \$285,000 to fund overtime patrols to combat impaired driving and increase seat belt usage in Marion County. Public information and education is also a vital part of these grants. No match is required for this grant.

6. DUI Indiana

Grant through the Governor's Council on Impaired and Dangerous Driving in the amount of \$350,000 to fund overtime patrols to combat impaired driving in Marion County. This enforcement includes Sobriety Checkpoints and Saturation Patrols. No match is required for this grant.

SECTION 2. The sum of One Million Four Hundred Seventy Thousand Four Hundred Thirty-Four Dollars (\$1,470,434) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balance as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY PROSECUTOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	745,940
2. Supplies	23,100
3. Other Services and Charges	698,999
4. Capital Outlay	<u>2,395</u>
TOTAL INCREASE	1,470,434

October 29, 2007

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>1,470,434</u>
TOTAL REDUCTION	1,470,434

SECTION 5. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. No new full time equivalents (FTE) are being hired as part of this proposal. The grant funds will pay for positions that already exist within the Marion County Prosecutor's office.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-14.

Proposal No. 429, 2007 was retitled FISCAL ORDINANCE NO. 92, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 92, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating Two Hundred Thousand Two Hundred Thirty-Seven Dollars (\$200,237) in the State and Federal Grants Fund for purposes of the Marion County Forensic Services Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.06 (a) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Forensic Services Agency to allow for the researching of current cold cases and the analysis of approximately 225 cases that demonstrate possible DNA eligible evidence, financed by a grant to the Indianapolis Metropolitan Police Department from the U.S. Department of Justice/National Institute of Justice.

SECTION 2. The sum of Two Hundred Thousand Two Hundred Thirty-Seven Dollars (\$200,237) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balance as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY FORENSIC SERVICES AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	95,121
2. Supplies	70,116
3. Other Services and Charges	35,000
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	200,237

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>200,237</u>
TOTAL REDUCTION	200,237

SECTION 5. There is no local match required.

SECTION 6. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. One new full time equivalent (FTE) is being hired as part of this proposal. The grant funds will allow for the addition of one DNA Analyst for the period of 18 months.

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 433, 2007 was retitled FISCAL ORDINANCE NO. 93, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 93, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) by appropriating One Thousand Five Hundred Dollars (\$1,500) for purposes of the Marion County Superior Court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.05(f) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion Superior Court to fund advertising for a public awareness campaign about jury summonses, financed by a grant from the Indianapolis Bar Foundation.

SECTION 2. The sum of One Thousand Five Hundred Dollars (\$1,500) be, and the same appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>COUNTY GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	1,500
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	1,500

SECTION 4. The said increased appropriation is funded by the following reduction:

	<u>COUNTY GRANTS FUND</u>
Unappropriated and Unencumbered	
County Grants Fund	<u>1,500</u>
TOTAL REDUCTION	1,500

SECTION 5. There is no matching funds requirement associated with this grant.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 434, 2007 was retitled FISCAL ORDINANCE NO. 94, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 94, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Police Special Service District Ordinance No. 1, 2006 and Fiscal Ordinance No. 89, 2006, Section 1.06(b)) appropriating Three Million Four Hundred Two Thousand Seven Hundred Twelve Dollars (\$3,402,712) in the Federal Grants Fund and the Non-Lapsing Federal Grants Fund for purposes of the Indianapolis Metropolitan Police Department.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the Annual Budget of the Police Special Service District and the City-County Annual Budget for 2007, Sections 1 and 1.06(b) respectively, be, and are hereby, amended by the increases and reductions hereinafter stated

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for purposes of the Indianapolis Metropolitan Police Department for the reimbursement of overtime of five federal tasks force teams (\$332,000) and for the following initiatives: Weed & Seed (\$205,000); Cold Case Initiative (\$500,000); Gang Resistance Education and Training (\$150,000); Grants to Encourage Arrests (\$750,000); Edward Byrne Memorial Justice Assistance Grant (\$1,322,911); Victims Assistance (\$50,526); Indy Nite Lite (\$48,675); Narcotic Interdiction School (\$40,000); Highway Interdiction Training (\$3,600), all of which are funded by grants.

SECTION 2. The sum of Three Million Four Hundred Two Thousand Seven Hundred Twelve Dollars (\$3,402,712) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriated balance as shown in sections 4 and 5.

SECTION 3. The following additional appropriations are hereby approved:

<u>INDIANAPOLIS METROPOLITAN POLICE DEPARTMENT</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	37,674
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	37,674

<u>INDPLS. METROPOLITAN POLICE DEPARTMENT</u>	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
1. Personal Services	481,695
2. Supplies	85,600
3. Other Services and Charges	1,816,550
4. Capital Outlay	981,193
5. Internal Charges	0
TOTAL INCREASE	3,365,038

SECTION 4. The said additional appropriation is funded by the following reductions of fund balance:

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered Federal Grants Fund	37,674
TOTAL REDUCTION	37,674

	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered Non-Lapsing Federal Grants Fund	3,360,038
TOTAL REDUCTION	3,360,038

SECTION 5. The following appropriation is hereby reduced:

<u>INDPLS. METROPOLITAN POLICE DEPARTMENT</u>	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	5,000
4. Capital Outlay	0
5. Internal Charges	0
TOTAL REDUCTION	5,000

SECTION 6. The Weed & Seed Initiative requires a match of \$125,000, which will be funded by local financing of Neighborhood Resource Officers. The Gang Resistance Education and Training (G.R.E.A.T.) initiative requires a match of \$16,666, which is supported by local funding of the G.R.E.A.T. Instructor-Patrolman. The Victim Assistance initiative requires a 25% match that is funded through the local budget for Victims Assistance Counselors. All other initiatives require no match.

SECTION 7. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriations for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14

Proposal No. 435, 2007 was retitled FISCAL ORDINANCE NO. 95, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 95, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) transferring and Eight Hundred Ninety-nine Thousand Seventy-two Dollars (\$899,072) in the Non-lapsing Federal Grants Fund for purposes of the Department of Public Safety, Fire Division and Emergency Management Planning Division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(k) of the City-County Annual Budget for 2007 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Emergency Management Planning Division for various Urban Area Security Initiatives (UASI), including establishment of a regional Emergency Operations Center (EOC); establishment of a regional Terrorism Early Warning Center (TEW); training and exercise, health and medical, interactive information notification and referral communications system and a credential and identification system, and to hire three people to manage the programs, funded by federal grants approved and administered by the Indiana Department of Homeland Security.

SECTION 2. The sum of Eight Hundred Ninety-nine Thousand Seventy-two Dollars (\$899,072) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u> <u>EMERGENCY MANAGEMENT DIVISION</u>	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	867,072
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	867,072

<u>DEPARTMENT OF PUBLIC SAFETY</u> <u>FIRE DIVISION</u>	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	32,000
5. Internal Charges	0
TOTAL INCREASE	32,000

SECTION 4. The said additional appropriation is funded by the following reductions:

<u>DEPARTMENT OF PUBLIC SAFETY</u> <u>EMERGENCY MANAGEMENT DIVISION</u>	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	425,672
3. Other Services and Charges	0
4. Capital Outlay	205,498
5. Internal Charges	0
TOTAL INCREASE	631,170

	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Non-Lapsing Federal Grants Fund	267,902
TOTAL REDUCTION	267,902

SECTION 5. There is no local match required for the UASI grants.

SECTION 6. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Conley reported that the Public Works Committee heard Proposal Nos. 436 and 437, 2007 on October 25, 2007. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 436, 2007. The proposal, sponsored by Councillors Conley and Moriarty Adams, approves an appropriation of \$848,530 in the 2007 Budget of the Department of Public Works (Transportation General Fund) to restore Character 01 funds for salaries and wages expended by the Department of Public Works during the 2007 snow emergency, financed by reimbursements from the Federal Emergency Management Agency. PROPOSAL NO. 437, 2007. The proposal, sponsored by Councillors Conley, Moriarty Adams and Keller, appropriates \$1,800,000 in the 2007 Budget of the Department of Public Works (Consolidated County Fund) to fund the costs of operating and maintaining city and county trucks, cars, fire apparatus, and other rolling stock, financed by chargeback revenues to be received from the various city and county governmental customers of the Fleet Services Division of DPW. By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President Gray called for public testimony at 9:08 p.m.

Mr. Vaughn said that the Council claims to be saving \$6 million on take-home vehicles, yet they are borrowing money to pay for vehicle upkeep. He asked where the property tax dollars are going. He said property tax dollars have doubled, and yet the city continues to borrow to fund programs, and he therefore has no idea where these dollars are going. Councillor Nytes said that these dollars are already being collected and not borrowed, and the process of appropriating is required by law so that the public is aware of how tax dollars are spent.

There being no further testimony, Councillor Conley moved, seconded by Councillor Sanders, for adoption. Proposal Nos. 436 and 437, 2007 were adopted on the following roll call vote; viz:

29 YEAS: Bateman, Borst, Boyd, Brown, Cain, Carson, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Sanders, Schneider, Speedy
0 NAYS:

Proposal No. 436, 2007 was retitled FISCAL ORDINANCE NO. 96, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 96, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating Eight Hundred Forty Eight Thousand Five Hundred Thirty Dollars (\$848,530) in the Transportation General Fund for purposes of the Department of Public Works, and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (j) of the City-County Annual Budget for 2007 be, and is hereby, amended by

the increases and reductions hereinafter stated for purposes of restoring character one funds for salaries and wages expended by the Department of Public Works during the 2007 snow emergency, financed by reimbursements from the Federal Emergency Management Agency.

SECTION 2. The sum of Eight Hundred Forty Eight Thousand Five Hundred Thirty Dollars (\$848,530) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	848,530
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	848,530

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>TRANSPORTATION GENERAL FUND</u>
Unappropriated and Unencumbered	
Transportation General Fund	848,530
TOTAL REDUCTION	848,530

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 437, 2007 was retitled FISCAL ORDINANCE NO. 97, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 97, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating One Million Eight Hundred Thousand Dollars (\$1,800,000) in the Consolidated County Fund for purposes of the Department of Public Works, and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (j) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of covering the costs of operating and maintaining city and county trucks, cars, fire apparatus and other rolling stock, financed by chargeback revenues to be received from the various city and county governmental customers of the Fleet Services Division of DPW.

SECTION 2. The sum of One Million Eight Hundred Thousand Dollars (\$1,800,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	0
2. Supplies	1,000,000
3. Other Services and Charges	800,000
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	1,800,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	0
2. Supplies 0	
3. Other Services and Charges	0
4. Capital Outlay	0,
5. Internal Charges	<u>1,800,000</u>
TOTAL DECREASE	1,800,000

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

President Gray passed the gavel to Vice President Sanders and stated that he will abstain from voting on Proposal No. 182, 2007, as the subject matter concerns him.

PROPOSAL NO. 182, 2007. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 182, 2007 on August 7, 2007. The proposal then received indecisive votes by the Council on both August 27 and September 17, 2007. The proposal, sponsored by Councillor Borst, establishes a special committee to investigate the Indianapolis Star's allegations against Councillor Monroe Gray.

Councillor Franklin moved, seconded by Councillor Moriarty Adams, to amend Proposal No. 182, 2007 as per the handout provided to Council members. She said that having equal members from each party will help to do this in a more bi-partisan fashion.

Councillor Schneider said that he is pleased that they are moving forward with this proposal, but still feels the change in membership is an attempt for the fox to guard the hen house.

Councillor Vaughn said that the timing of this proposed amendment is unfortunate because there will be no results before the upcoming election, but as it is probably the only way it will move forward and happen, he will support the amendment. He said that action needs to be taken so that this body can protect the integrity of this office and move on to do important business.

Councillor Mansfield said that she still believes the appropriate forum for this was before the Ethics Board, but because of political posturing, it has come down to this.

Councillor Borst said that this has been anything but political posturing. He said that articles appeared in the Indianapolis Star in January, and he did not offer any follow-up until March because they were waiting to see if the leadership would take the lead and do something on their own. He asked with a membership of two from each party, who will chair, how will the committee convene, and when will it start and finish. He said that he would offer a friendly amendment that each caucus appoint a member as a co-chair and the other member as a voting member. He said that with co-chairs and a date to start, he would feel more comfortable. He also stated that it is not clear where the investigative findings will be reported in Section 3. Councillor Sanders said that the Rules and Public Policy Committee will receive the report of the committee. Councillor Borst stated that this is not the way it is written.

Councillor McWhirter said that she appreciates the bi-partisanship shown in this amendment and hopes the Council will look at this when appointing other bi-partisan boards.

Councillor Lutz said that he will support the amendment and thanked Councillor Franklin for suggesting it. He said that two members from each party was exactly what Councillor Plowman requested for the efficiency committee, and it was turned down. He said that the Council could consider a non-voting chair if co-chairs does not seem viable. Councillor Sanders stated that the efficiency committee was a different type of committee.

Councillor Speedy said that the attesting signature should probably be changed from the President to the Vice President, since the subject matter concerns the President. Councillor Sanders said that this change can be made as a technical amendment and she asked the Clerk to do so.

Councillor Moriarty Adams stated that she will support the proposal in a bi-partisan fashion and she hopes it resolves the issue.

Councillor Borst moved, seconded by Councillor Conley, to change the language to reflect two of the members be co-chairs and make it clear that the findings are reported to the Rules and Public Policy Committee. The language in the amendment was changed by a unanimous voice vote.

Councillor Franklin's motion to amend, as amended, carried by a voice vote. Councillor Borst thanked Councillor Franklin for her amendment and stated that this could have handled the matter a long time ago, and the amended version is even better than the original proposed.

Councillor Borst moved, seconded by Councillor Franklin, for adoption, as amended. Proposal No. 182, 2007, as amended, was adopted on the following roll call vote.

28 YEAS: Bateman, Borst, Boyd, Brown, Cain, Carson, Cockrum, Conley, Day, Franklin, Gibson, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Sanders, Schneider, Speedy, Vaughn
0 NAYS:
1 NOT VOTING: Gray

Proposal No. 182 2007 was retitled COUNCIL RESOLUTION NO. 80, 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 80, 2007

A COUNCIL RESOLUTION establishing a special committee to investigate certain alleged ethical violations by Councillor Monroe Gray and review the City-County Code of Ethics for any recommendations to be submitted to the Rules and Public Policy Committee for revisions to the Code of Ethics.

WHEREAS, elected public officials must represent the highest ethical standards; and

WHEREAS, certain articles in the Indianapolis Star have alleged that the Ethics Forms submitted by Councillor Gray were not properly completed and certain questions were incorrectly answered; and

WHEREAS, an editorial in the Indianapolis Star on January 31, 2007, took the most unprecedented position of imploring the Council to censure Councillor Gray; and

WHEREAS, allegations of ethical impropriety have undermined public perception and public confidence in the Council and its members; and

WHEREAS, it is the responsibility of the Council, as a body, to take adequate public action to restore public confidence in the Council; and

WHEREAS, proper concern for the public and professional reputation of Councillor Gray requires that the Council be certain as to facts constituting the allegations prior to taking action to censure; and

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WHEREAS, the facts can best be determined by a Council Investigation Committee; now, therefore:

BE IT RESOLVED BY THE CITY-COUNCIL OF THE
CITY OF INDIANAPOLIS AND MARION COUNTY:

SECTION 1. Pursuant to Sec. 151-33, of the Revised Code of the Consolidated City and County, an Investigating Committee is hereby formed.

SECTION 2. The membership of the committee shall be four members of the Council, two members appointed by the minority caucus, as the Republican Caucus representatives, one of whom is a co-chair, and two members appointed by the majority caucus, as the Democratic Caucus representatives, one of whom is a co-chair.

SECTION 3. The purpose of the investigation to be conducted by the committee is to determine if the public allegations against Councillor Monroe Gray are true and whether such conduct warrants censure by the Council, and further the committee should make such recommendations for change, to the Rules and Public Policy Committee in the Code of Ethics or other procedures as may be appropriate to assure that Councillors are held to the highest ethical standards. The Rules and Public Policy Committee will, after considering the report of the committee, report on such findings to the Committee of the Whole.

SECTION 4. The Committee is hereby granted the power to subpoena witnesses and documents and the Clerk of the Council is directed to employ and pay such attorneys, investigators or other staff as selected by committee as appropriate to insure a thorough investigation.

SECTION 5. This resolution shall be in full force and effect upon adoption by the City-County Council.

PROPOSAL NO. 394, 2007. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 394, 2007 on September 19 and October 10, 2007. The proposal, sponsored by Councillors Moriarty Adams, Sanders, Conley, Gray and Brown, transfers \$17,567 in the 2007 Budget of the Marion County Justice Agency (Drug Free Community Fund) to the Marion Superior Court (Drug Free Community Fund) to fund drug screening and other services provided by the Marion County Drug Court and to fund technology upgrades and other contractual services for the Community Court. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Nytes, for adoption. Proposal No. 394, 2007 was adopted on the following roll call vote; viz:

27 YEAS: Bateman, Borst, Boyd, Brown, Cain, Carson, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Pfisterer, Plowman, Pryor, Randolph, Sanders, Speedy, Vaughn

0 NAYS:

2 NOT VOTING: Oliver, Schneider

Proposal No. 394, 2007 was retitled FISCAL ORDINANCE NO. 98, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 98, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) transferring and appropriating Seventeen Thousand Five Hundred Sixty-seven Dollars (\$17,567) in the Drug Free Community Fund for purposes of the Marion Superior Court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Sections 105 (f) and 106 (d) of the City-County Annual Budget for 2007 be, and is hereby amended by the increases and reductions hereinafter stated to fund drug screening and other services provided by the Marion County Drug Court and to fund technology upgrades and other contractual services for the Community Court, funded by a transfer of appropriations from the Marion County Justice Agency to the Marion Superior Court.

SECTION 2. The sum of Seventeen Thousand Five Hundred Sixty-seven Dollars (\$17,567) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>DRUG FREE COMMUNITY FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	17,567
4. Capital	<u>0</u>
TOTAL INCREASE	17,567

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>DRUG FREE COMMUNITY FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	17,567
4. Capital	<u>0</u>
TOTAL DECREASE	17,567

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Vice President Sanders returned the gavel to President Gray.

PROPOSAL NO. 404, 2007. Councillor Conley reported that the Public Works Committee heard Proposal No. 404, 2007 on October 25, 2007. The proposal, sponsored by Councillor Plowman, establishes a 25-mile-per-hour speed limit in the Copper Grove subdivision (District 25). By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Conley moved, seconded by Councillor Plowman, for adoption. Proposal No. 404, 2007 was adopted on the following roll call vote; viz:

27 YEAS: Bateman, Borst, Boyd, Cain, Carson, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Pfisterer, Plowman, Pryor, Randolph, Sanders, Schneider, Speedy, Vaughn
0 NAYS:
2 NOT VOTING: Brown, Oliver

Proposal No. 404, 2007 was retitled GENERAL ORDINANCE NO. 50, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 50, 2007

A PROPOSAL FOR A GENERAL ORDINANCE amending the "Revised Code of the consolidated City and County," Chapter 441, Traffic, Sec. 441-323, Alteration of prima facie speed limits.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-323, Alteration of prima facie speed limits, for the following streets within the boundaries of the Copper Grove subdivision, be, and the same is hereby amended by the addition of the following, to-wit:

25 MILES PER HOUR
Silver Grove Court, Viola Court,
Greengage Court, Bluestem Court, Bosk Court,
Merryhill Drive, Sugar Bay Lane, Emerald Bay Lane, Pantina Way,
Copper Grove Dr., Thicket Grove Lane, Pantina Lane, and Rose Tree Court

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Sanders reported that the Administration and Finance Committee heard Proposal Nos. 422, 424 and 426, 2007 on October 16, 2007. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 422, 2007. The proposal, sponsored by Councillors Sanders and Moriarty Adams, transfers a total of \$50,000 between the 2007 Budgets of the Lawrence Township and Washington Township Assessors (County General and Property Reassessment Funds) to fix an error in Fiscal Ordinance No. 67, 2007 because appropriations were inadvertently transferred between the wrong funds. PROPOSAL NO. 424, 2007. The proposal, sponsored by Councillors Mahern and Pryor, transfers \$1,800 in the 2007 Budget of the Washington Township Assessor (County General Fund) to cover the need for additional paper and toner supplies that have resulted from unexpected price increases and usage. PROPOSAL NO. 426, 2007. The proposal, sponsored by Councillors Sanders, Brown, McWhirter, Pfisterer and Bateman, the City's deferred compensation plan for Warren Township Civilian Personnel. By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Sanders moved, seconded by Councillor Conley, for adoption. Proposal Nos. 422, 424 and 426, 2007 were adopted on the following roll call vote; viz:

26 YEAS: Bateman, Boyd, Brown, Cain, Carson, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Pfisterer, Plowman, Pryor, Randolph, Sanders, Schneider, Speedy, Vaughn

0 NAYS:

3 NOT VOTING: Borst, Franklin, Oliver

Proposal No. 422, 2007 was retitled FISCAL ORDINANCE NO. 99, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 99, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) transferring and appropriating Fifty Thousand Dollars (\$50,000) in the Property Reassessment Fund and in the County General Fund for purposes of the Marion County Township Assessors.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.04 (g) and (k) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated to fix an error in fiscal ordinance 67, 2007 where appropriations were inadvertently transferred between the wrong funds.

SECTION 2. The sum of Fifty Thousand Dollars (\$50,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriated balance as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>LAWRENCE TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	<u>25,000</u>
TOTAL INCREASE	25,000

<u>WASHINGTON TOWNSHIP ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	<u>25,000</u>
TOTAL INCREASE	25,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>WASHINGTON TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	<u>25,000</u>
TOTAL DECREASE	25,000

<u>LAWRENCE TOWNSHIP ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	<u>25,000</u>
TOTAL DECREASE	25,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14

Proposal No. 424, 2007 was retitled FISCAL ORDINANCE NO. 100, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 100, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) transferring One Thousand Eight Hundred Dollars (\$1,800) between characters in the County General Fund for purposes of the Washington Township Assessor.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.04 (k) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Washington Township Assessor to cover the need for additional paper and toner supplies that have resulted from unexpected price increases and usage, financed by a transfer between characters in the 2007 budget of the Washington Township Assessor.

SECTION 2. The sum of One Thousand Eight Hundred Dollars (\$1,800) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriated balance as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>WASHINGTON TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	1,800
3. Other Services and Charges	0
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	1,800

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>WASHINGTON TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	1,800
4. Capital Outlay	<u>0</u>
TOTAL REDUCTION	1,800

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14

Proposal No. 426, 2007 was retitled GENERAL RESOLUTION NO. 21, 2007, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 21, 2007

A PROPOSAL FOR A GENERAL RESOLUTION to amend the City's deferred compensation plan for its sworn firefighters.

WHEREAS, the City has previously established a deferred compensation plan that is available to its sworn firefighters pursuant to Section 457 of the Internal Revenue Code permitting such plans; and

WHEREAS, the City desires to allow paramedics now employed as civilians by the Indianapolis Fire Department who were employed as paramedics of the Warren Township Fire Department as of June 30, 2007 and who became employees of the Indianapolis Fire Department as a result of General Ordinance No. 21, 2007 to participate in that plan; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council, pursuant to Section 291-401 of the Revised Code of the Consolidated City and County, hereby amends the City's deferred compensation plan for its sworn firefighters, adopted by City-County General Resolution No. 3, 2004. The effect of the amendment will be to allow to participate in the plan paramedics now employed as civilians by the Indianapolis Fire Department who were employed as paramedics of the Warren Township Fire Department as of June 30, 2007. The revised Plan Document entitled "The City of Indianapolis/Marion County Deferred Compensation Plan for Sworn Firefighters and Civilian Paramedics" is attached to this Resolution.

SECTION 2. This resolution shall be in effect from and after its passage by the Council and compliance with Indiana Code §36-3-4-14.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 427 and 430-432, 2007 on October 10, 2007. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 427, 2007. The proposal, sponsored by Councillors Brown, Moriarty Adams, Conley, Gray and Sanders, determines the need to lease approximately 4,000 square feet of space at 501 North Post Road for use by the Indianapolis Fire Department. PROPOSAL NO. 430, 2007. The proposal, sponsored by Councillors Moriarty Adams and Borst, transfers \$1,500 in the 2007 Budget of the Marion Superior Court (Drug Testing Laboratory Fund) to fund the replacement of freezer equipment in the Drug Lab that is no longer under warranty. PROPOSAL NO. 431, 2007. The proposal, sponsored by Councillors Moriarty Adams and Borst, transfers \$198,234 in the 2007 Budget of the Marion Superior Court (County General and Cumulative Capital Improvement Funds) to cover expenses for paper, toner, outfitting microphones in new courts, to furnish new offices for technology staff and commissioners and to purchase technology equipment and installation services. PROPOSAL NO. 432, 2007. The proposal, sponsored by Councillors Moriarty Adams, Conley, Sanders, Boyd and Gibson, transfers \$5,787 in the 2007 Budget of the Marion County Circuit Court (County General Fund) to cover expenses for equipment and installation of microphones for court reporters. By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Moriarty Adams moved, seconded by Councillor Langsford, for adoption. Proposal Nos. 427 and 430-432, 2007 were adopted on the following roll call vote; viz:

23 YEAS: Bateman, Borst, Boyd, Brown, Cain, Carson, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pryor, Sanders, Schneider, Speedy, Vaughn

0 NAYS:

6 NOT VOTING: Franklin, Lutz, Mahern, Pfisterer, Plowman, Randolph

Proposal No. 427, 2007 was retitled SPECIAL RESOLUTION NO. 52, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 52, 2007

PROPOSAL FOR A SPECIAL RESOLUTION determining the need to lease approximately Four Thousand (4,000) square feet of space at 501 North Post Road, Indianapolis, Indiana, for use by the Indianapolis Fire Department.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council, pursuant to IC 36-1-10-7, has investigated the conditions requiring the subject lease and hereby determines that the lease of space for use by the Indianapolis Fire Department is needed.

SECTION 2. The property to be leased is located at 501 North Post Road, Indianapolis, Indiana. Such property is owned by Warren Township of Marion County, Indiana.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 430, 2007 was retitled FISCAL ORDINANCE NO. 101, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 101, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) by transferring One Thousand Five Hundred Dollars (\$1,500) between characters for purposes of the Marion County Superior Court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.05(f) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to fund the replacement of freezer equipment in the Drug Lab that is no longer under warranty, financed by a transfer between characters.

SECTION 2. The sum of One Thousand Five Hundred Dollars (\$1,500) be, and the same is hereby transferred from Character 03 to Character 04 for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>DRUG TESTING LABORATORY FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	<u>1,500</u>
TOTAL INCREASE	1,500

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION SUPERIOR COURT</u>	<u>DRUG TESTING LABORATORY FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	1,500
4. Capital Outlay	<u>0</u>
TOTAL REDUCTION	1,500

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 431, 2007 was retitled FISCAL ORDINANCE NO. 102, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 102, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) to appropriate One Hundred Ninety Eight Thousand Two Hundred Thirty Four Dollars (\$198,234) for purposes of the Marion County Superior Court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.05(f) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to cover expenses for paper, toner, outfitting microphones in new courts, to furnish new offices for technology staff and commissioners, and to purchase technology equipment and installation services, financed by a transfers between characters.

SECTION 2. The sum of One Hundred Ninety Eight Thousand Two Hundred Thirty Four Dollars (\$198,234) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	70,741
3. Other Services and Charges	0
4. Capital Outlay	<u>41,090</u>
TOTAL INCREASE	111,831

<u>MARION SUPERIOR COURT</u>	<u>CUMULATIVE CAPITAL IMPROVEMENT FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	<u>86,403</u>
TOTAL INCREASE	86,403

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION SUPERIOR COURT</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	9,448
2. Supplies	0
3. Other Services and Charges	102,383
4. Capital Outlay	<u>0</u>
TOTAL REDUCTION	111,831

<u>MARION SUPERIOR COURT</u>	<u>CUMULATIVE CAPITAL IMPROVEMENT FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	86,403
4. Capital Outlay	<u>0</u>
TOTAL REDUCTION	86,403

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 432, 2007 was retitled FISCAL ORDINANCE NO. 103, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 103, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) to appropriate Five Thousand Seven Hundred Eighty Seven Dollars (\$5,787) for purposes of the Marion County Circuit Court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.05(e) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Circuit Court to cover expenses for equipment and installation of microphones for court reporters, financed by a transfer between characters.

SECTION 2. The sum of Five Thousand Seven Hundred Eighty Seven Dollars (\$5,787) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY CIRCUIT COURT</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	5,787
3. Other Services and Charges	0
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	5,787

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION COUNTY CIRCUIT COURT</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	5,787
4. Capital Outlay	<u>0</u>
TOTAL REDUCTION	5,787

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Conley reported that the Public Works Committee heard Proposal Nos. 438-448, 2007 on October 25, 2007. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 438, 2007. The proposal, sponsored by Councillors Vaughn and Conley, authorizes a multi-way stop at the intersection of 55th Street and Winthrop Avenue (District 3). PROPOSAL NO. 439, 2007. The proposal, sponsored by Councillors Pfisterer and Conley, authorizes a multi-way stop at the intersection of Bertha Street and Fleming Street (District 14). PROPOSAL NO. 440, 2007. The proposal, sponsored by Councillors Carson and Conley,

authorizes No Parking Anytime restrictions on the north side of 9th Street from Paca Street to California Street (District 15). PROPOSAL NO. 441, 2007. The proposal, sponsored by Councillors Carson and Conley, authorizes a change in parking restrictions around the Indianapolis-Marion County Public Library (District 15). PROPOSAL NO. 442, 2007. The proposal, sponsored by Councillor Moriarty Adams, authorizes a multi-way stop at the intersection of 14th Street and Mitchner Avenue (District 17). PROPOSAL NO. 443, 2007. The proposal, sponsored by Councillor Brown, authorizes intersection controls for the Deer Run Subdivision, Sections 1 and 2 (District 18). PROPOSAL NO. 444, 2007. The proposal, sponsored by Councillor Mahern, authorizes a multi-way stop at the intersection of Barth Avenue and Palmer Street (District 19). PROPOSAL NO. 445, 2007. The proposal, sponsored by Councillors Day and Conley, authorizes a multi-way stop at the intersection of Legrande Avenue and Villa Avenue (District 20). PROPOSAL NO. 446, 2007. The proposal, sponsored by Councillor Conley, removes No Parking Anytime restrictions in The Springs of Hamptons subdivision (District 21). PROPOSAL NO. 447, 2007. The proposal, sponsored by Councillors Borst and Conley, authorizes intersection controls for the Meridian Place Subdivision (District 23). PROPOSAL NO. 448, 2007. The proposal, sponsored by Councillors Speedy and Conley, authorizes speed limits for the McFarland Farms Subdivision (District 24). By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Conley moved, seconded by Councillor Gibson, for adoption. Proposal Nos. 438-448, 2007 were adopted on the following roll call vote; viz:

28 YEAS: Bateman, Borst, Boyd, Brown, Cain, Carson, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Sanders, Schneider, Speedy, Vaughn
0 NAYS:
1 NOT VOTING: Franklin

Proposal No. 438, 2007 was retitled GENERAL ORDINANCE NO. 51, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 51, 2007

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11	55 th St Winthrop Ave	Winthrop Ave	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11	55 th St Winthrop Ave	None	Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 439, 2007 was retitled GENERAL ORDINANCE NO. 52, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 52, 2007

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
23	Bertha St Fleming St	Bertha St	Stop

SECTION 2. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
23	Bertha St Fleming St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 440, 2007 was retitled GENERAL ORDINANCE NO. 53, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 53, 2007

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 621-121, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 621-121, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

Ninth Street, on the north side, from
Paca Street to California Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 441, 2007 was retitled GENERAL ORDINANCE NO. 54, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 54, 2007

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 621-202, Parking meter zones designated and Sec. 621-121, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 621-202, Parking meter zones designated, be, and the same is hereby amended by the deletion of the following, to wit:

October 29, 2007

2 HOURS

Ninth Street, on both sides, from
Illinois Street to Pennsylvania Street

Pennsylvania Street, on the west side, from
New York Street to Eleventh Street

SECTION 2. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 621-121, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

Ninth Street, on the north side, from
Meridian Street to Pennsylvania Street

Ninth Street, on the south side, from
Meridian Street to a point 145 feet east of Meridian Street

Pennsylvania Street, on the west side, from
A point 65 feet south of Ninth Street to Ninth Street

SECTION 3. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 621-202, Parking meter zones designated, be, and the same is hereby amended by the addition of the following, to wit:

2 HOURS

Ninth Street, on the both sides, from
Illinois Street to Meridian Street

Ninth Street, on the south side, from
A point 240 feet east of Meridian Street to Pennsylvania Street

Pennsylvania Street, on the west side, from
New York Street to a point 246 feet north of St. Clair Street

Pennsylvania Street, on the west side, from
Ninth Street to Eleventh Street

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 442, 2007 was retitled GENERAL ORDINANCE NO. 55, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 55, 2007

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
27	14 th St Mitchner Ave	Mitchner Ave	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
27	14 th St Mitchner	None	Multi-Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 443, 2007 was retitled GENERAL ORDINANCE NO. 56, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 56, 2007

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
21	Hornickel Cir Hornickel Dr	Hornickel Dr	Stop
21	Hornickel Ct Hornickel Dr	Hornickel Dr	Stop
21	Hornickel Dr Planewood Dr	Hornickel Dr	Stop
21	Hornickel Dr Water Birch Dr	Hornickel Dr	Stop
21	Hornickel Dr 38 th St	38 th St	Stop
21	Planewood Cir Planewood Dr	Planewood Dr	Stop
21	Planewood Ct Planewood Dr	Planewood Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14

Proposal No. 444, 2007 was retitled GENERAL ORDINANCE NO. 57, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 57, 2007

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

October 29, 2007

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32	Barth Ave Palmer St	Palmer St	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32	Barth Ave Palmer St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 445, 2007 was retitled GENERAL ORDINANCE NO. 58, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 58, 2007

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32	Legrande Ave Villa Ave	Legrande Ave	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32	Legrande Ave Villa Ave	None	Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 446, 2007 was retitled GENERAL ORDINANCE NO. 59, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 59, 2007

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-121, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 621-121, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the deletion of the following, to wit:.

Grazing Lane, on both sides from
the west terminus of Grazing Lane to Schmitt Road

Planters Road, on both sides, from
Schmitt Road to Tillage Road

Schmitt Circle, on both sides, from
Cul-de-sac to Schmitt Road

Schmitt Court on both sides, from
Cul-de-sac to Schmitt Road

Schmitt Lane on both sides, from
Cul-de-sac to Schmitt Road

Schmitt Road, on both sides, from
Prospect Street to the north terminus of Schmitt Road

Tillage Road, on both sides, from
Planters Road to Schmitt Road

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 447, 2007 was retitled GENERAL ORDINANCE NO. 60, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 60, 2007

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
39	Bixler Rd Eva Ln	Bixler Rd	Stop
39	Eva Ct White Lick Dr	White Lick Dr	Stop
39	Eva Ln White Lick Dr	White Lick Dr	Stop
39	Gazebo Dr Village Green Dr (E) White Lick Dr	Gazebo Dr White Lick Dr	Stop
39	Gazebo Dr Village Green Dr (W) White Lick Dr	Gazebo Dr White Lick Dr	Stop
39	Maxwell Rd Meridian St	Meridian St	Stop
39	Maxwell Rd White Lick Dr	White Lick Dr	Stop
39	White Lick Ct White Lick Dr	White Lick Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

October 29, 2007

Proposal No. 448, 2007 was retitled GENERAL ORDINANCE NO. 61, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 61, 2007

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Chapter 441, Traffic, Sec. 441-323, Alteration of prima facie speed limits.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-323, Alteration of prima facie speed limits, be, and the same is hereby amended by the addition of the following, to-wit:

25 MILES PER HOUR

Tarragon Terrace from McFarland Boulevard to Tarragon Lane
Tarragon Court
Tarragon Lane from Tarragon Terrace to Tarragon Drive
Saffron Drive from Tarragon Lane to Tarragon Drive
Clove Court
Nutmeg Court
Bay Leaf Circle
Cardamon Court
Tarragon Drive from Tarragon Lane to Tarragon Place
Tarragon Place from Poppyseed Drive to McFarland Boulevard
Poppyseed Drive from McFarland Boulevard to Tarragon Drive
Cinnamon Drive from Poppyseed Drive to Cinnamon Place
Cinnamon Place from Cinnamon Drive to Tarragon Place
Pepper Court
Pepper Circle
Basil Court
Santolina Drive from Tarragon Place to Stop 11 Road
Lovage Court
Fennel Court
Germander Lane from Tarragon Place to Santolina Drive
Perilla Court
Teasel Court
Chervil Court
Pennyroyal Lane from Santolina Drive to Rock Rose Court
Rock Rose Court

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Borst stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Moriarty Adams in memory of Mary Frances Dugan; and
- (2) Councillors Moriarty Adams and Langsford in memory of James H. "Joe" Ajamie; and
- (3) Councillor Oliver in memory of R.V. Buford; and
- (4) Councillor Cain in memory of Gene S. Alig; and
- (5) Councillors Pfisterer, Franklin and Plowman in memory of Patrick Gaughan, William L. Clark and Clarence Sparks; and

- (6) Councillors Mansfield and Sanders in memory of Mimi Haerle; and
- (7) Councillor Langsford in memory of Ronald J. Lowe.

Councillor Borst moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Mary Frances Dugan, James H. "Joe" Ajamie, R.V. Buford, Gene S. Alig, Patrick Gaughan, William L. Clark, Clarence Sparks, Mimi Haerle, and Ronald J. Lowe. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:46 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 29th day of October, 2007.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

President

ATTEST:

Clerk of the Council

(SEAL)